

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Collaborative Justice Courts Advisory Committee
Hon. Darrell W. Stevens, Chair
Nancy Taylor, Committee Staff, 415-865-7607

DATE: February 7, 2003

SUBJECT: Collaborative Justice Courts Advisory Committee: Progress Report
(Action Required)

Issue Statement

In accordance with rule 6.56(d) of the California Rules of Court,¹ the Collaborative Justice Courts Advisory Committee presented a report to the Judicial Council on December 18, 2001, that reviewed the committee's progress in discharging its duties. The council continued the committee, its structure and charge, and directed it to provide an annual progress report.

The attached report, *Collaborative Justice Courts Advisory Committee: Annual Progress Report*, is submitted to fulfill the requirement for an annual progress report and is focused on committee activities that have occurred since the report of December 2001.

Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective April 15, 2003:

1. Accept the progress report of the Collaborative Justice Courts Advisory Committee; and
2. Modify the timeframe for submission of the next progress report from 12 to 24 months. Any reports required for ongoing committee activities would be in addition to the progress report.

¹ The text of rule 6.56(d) is attached at pages 7–8.

Rationale for Recommendation

The committee continues to document the increased scope and scale of collaborative justice courts in California. In its most recent survey the committee noted that, despite the impact of budget reductions and the effects of policy changes during 2002, such as implementation of Proposition 36, the number of collaborative justice courts did not change significantly. There were 248 in 2002, whereas 252 of these courts were identified in 2001. The committee has noted that the development of these courts occurred during a period of increased case filings that concern family and juvenile matters, domestic violence, drug involvement, mental illness, and homelessness. Budget constraints are likely to exacerbate many of these problem areas in the next two years, and during that period the committee will focus on assisting courts in improving the efficiency and effectiveness of case processing in collaborative justice courts to meet the associated needs.

The committee is currently involved in several projects:

- A long-term cost-benefit study of California drug courts;
- A project to identify promising practices in courts statewide, within a national framework, and to develop methods to disseminate the practices to local courts;
- A cost-benefit analysis of dependency drug court models being developed with the Department of Social Services;
- A project, in collaboration with the Center for Judicial Education and Research (CJER), to develop recommendations for minimum judicial education standards and effective education programs in the area of collaborative justice; and
- An ongoing grants administration project and a project to develop strategies for long-term funding.

These projects are in their beginning phases and are expected to be completed over the next two years.

Background

In the 1990s, a range of courts implementing therapeutic and restorative justice principles and models developed in California, including but not limited to drug courts, domestic violence courts, peer/youth courts, mental health courts, homeless courts, and community courts.

The committee's charge addresses areas of funding, evaluation, education and outreach, and the identification and dissemination of best, or promising, practices to help courts improve their effectiveness and efficiency. Projects and findings

that reflect key developments in fulfilling the committee's charge are summarized below.

Evaluating cost and effectiveness

The attached report reviews recent data regarding cost-benefit analyses of collaborative justice courts, based on the committee's two projects involving statewide studies of drug courts. The studies show substantial savings to the justice system as a result of reduced prison and jail costs, reduced recidivism and efficiencies in case processing. Key findings were as follows:

- Phase I of the statewide cost study of adult drug courts conducted by the Administrative Office of the Courts (AOC) was completed in 2002. The study began in 1998 with a detailed analysis of three adult drug courts and covered a period of four years. Findings from Phase I were as follows:
 - Avoided criminal justice costs averaged approximately \$200,000 annually per court for each 100 participants.
 - All drug courts in the study showed cost avoidance for trial courts after the first year of operation. Two of the three courts studied showed reduced trial court costs that began in the first year and were conservatively estimated for each court to be approximately \$50,000 over the course of the study.
 - With 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, the annual statewide cost savings for adult drug courts suggested by these data is \$18 million per year.
- The Drug Court Partnership evaluation was co-administered by the Department of Alcohol and Drug Programs and the AOC, and released in March 2002. Data collection was from January 2000 through September 2001. The key findings were as follows:
 - Arrest rates, compiled from 17 counties for 1,945 participants who completed drug court, declined by 85 percent in the first two years after admission, compared to the two years prior to entry; conviction rates for the same participants declined by 77 percent; and incarceration rates declined by 83 percent.

- Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70 percent of participants were employed upon completion of drug court, whereas almost 62 percent were unemployed at entry; that 96 percent of drug tests were negative; and that 96 percent of the babies born to program participants, 132 babies, were drug free at birth.
- Cost offset and cost avoidance was estimated at \$43 million, predominately due to avoided jail and prison costs; with \$1 million in cost offset due to collection of fees/fines.

In order to validate the initial findings for adult drug courts, the cost study is being extended to six additional courts. The committee also plans to extend cost-benefit analyses to other types of collaborative justice courts, through new projects such as the pending cost-benefit evaluation of the SARMs dependency drug court system in San Diego, developed with the Department of Social Services and the Department of Alcohol and Drug Programs.

Administering funding

The committee administered awards totaling \$3.28 million to 97 collaborative justice court programs in 35 courts during fiscal years 2001-2002 and 2002-2003, of which \$1.28 million were pass-through funds from the Office of Criminal Justice Planning. Collaborative justice courts with a substance abuse focus, family treatment courts, juvenile drug courts, and peer/youth courts were funded through these awards. There were approximately 5,500 participants in these programs during fiscal year 2001-2002.

Funding of approximately \$15 million per year for drug courts in 47 counties was co-administered by the Department of Alcohol and Drug Programs and the AOC through the Comprehensive Drug Court Implementation and the Drug Court Partnership program during the same period. There were approximately 8,600 participants per year in these programs.

Proposition 36 became effective in July 2001, with \$120 million per year distributed to counties by the Department of Alcohol and Drug Programs for operation of the program. The committee supported efforts to integrate Proposition 36 into the existing drug court system. In the first year of implementation, an estimated 32,000 offenders participated.

In 2002, additional funds were obtained through the federal Department of Justice to fund the statewide cost study of drug courts. A joint education project of the committee and CJER has also been identified for funding from the California Endowment/University of California, San Diego. Currently, the committee has

applications pending with the Office of Criminal Justice Planning and the Office of Traffic Safety.

Identifying and disseminating promising practices

The committee developed a project to identify promising practices and is currently completing its second phase of that project.

The project is summarized as follows: 1) Phase I identified essential elements of collaborative justice courts; developed a method by which to characterize promising practices; and reviewed practices in California courts within a national context; 2) Phase II surveyed collaborative justice courts for use of essential elements and identified practices reported as promising; 3) Phase III will identify methods for disseminating information about promising practices to collaborative justice courts in California on an on-going basis, with particular attention to identifying practices for which effectiveness has been evaluated.

Identified practices will also be used to inform committee activities in the areas of grants development, development of recommendations for minimum education standards, and review and development of standards of judicial administration in collaborative justice.

Providing education and outreach

The committee entered a joint project with the Drug and Collaborative Court Education Committee, appointed by the CJER Governing Committee, to develop recommendations regarding minimum judicial education standards in collaborative justice.

In preparing to develop education standards and recommended programs, the committee and staff piloted education programs in multiple formats to determine cost-effective methods of providing education programs in collaborative justice. These projects included (1) a newly designed Web site in collaborative justice, with links to national and statewide resources, which posted in March 2003; (2) the mental health court broadcast, that aired in November 2002; and (3) the on-line Proposition 36 course, that was updated during Fall 2002.

Media outreach activities, coordinated with the Office of Communications at the AOC, highlighted milestones during the past year, such as the keynote speech by Chief Justice Ronald M. George at the San Francisco Drug Court graduation in December 2002, receipt by California drug courts of the National Drug Court Month award in June 2002, and participation by the Administrative Director of the Courts and by committee members in meetings with the White House Office of National Drug Control Policy in July 2002.

Alternative Actions Considered

The committee considered the idea of submitting an interim progress report within 18 months. However, major projects would not have completed by that date. The revised schedule for committee meetings, from four to two meetings per year, was also part of the committee's rationale for rejecting this alternative.

Comments From Interested Parties

Judge Gail A. Andler, Judicial Council liaison to the committee, had previously suggested that the initial committee report contain a provision for reporting "as needed" to the council. Upon review of the current progress report at the committee meeting held on February 28, 2003, the committee determined that the next progress report should be submitted no sooner than 24 months hence, because of project schedules.

Staff members from the Center for Families, Children & the Courts; the Research and Planning Unit of the Executive Office Programs Division; the Education Division/CJER; and the Office of Governmental Affairs reviewed the report. Their suggested changes were incorporated into the report.

Implementation Requirements and Costs

Continued funding for evaluation projects is provided through the federal Department of Justice. Funds from the Comprehensive Drug Court Implementation Act are budgeted to support studies and education projects in the area of promising practices. Pending funding requests submitted to the Office of Criminal Justice Planning and to the Office of Traffic Safety will also provide funds for administrative costs at the AOC related to collaborative courts in those areas.

The Collaborative Justice Courts Advisory Committee is budgeted to meet twice per year.

Attachments

Rule 6.56. Collaborative Justice Courts Advisory Committee

- (a) **[Area of focus]** The committee shall make recommendations to the Judicial Council on criteria for identifying and evaluating collaborative justice courts and for improving the processing of cases in these courts, which include drug courts, domestic violence courts, youth courts, and other collaborative justice courts. Those recommendations shall include "best practices" guidelines and methods for collecting data to evaluate the long-term effectiveness of collaborative justice courts.
- (b) **[Additional duties]** In addition to the duties described in rule 6.34 on the duties and responsibilities of advisory committees, the committee shall

 - (1) Assess and measure the success and effectiveness of local collaborative justice courts;
 - (2) Identify and disseminate to trial courts locally generated best practices;
 - (3) Recommend minimum judicial education standards and educational activities to support those standards to the Governing Committee of the Center for Judicial Education and Research;
 - (4) Advise the council of potential funding sources;
 - (5) Make recommendations regarding grant funding programs that are administered by the Administrative Office of the Courts for drug courts and other treatment courts; and
 - (6) Recommend appropriate outreach activities needed to support collaborative justice courts.
- (c) **[Membership]** The committee shall include the following:

 - (1) At least five judicial officers. Nominations for these appointments shall be made in accordance with rule 6.32. The list of nominees shall enable the Chair of the Judicial Council to appoint a committee that reflects a variety of court experience (e.g., criminal, juvenile, family, general civil),

expertise, and court sizes and types (e.g., urban, suburban, and rural as well as small, medium, and large).

(2) At least one member from each of the following categories:

- (A) Judicial administrator,
- (B) District attorney,
- (C) Criminal defense attorney,
- (D) Law enforcement (police/sheriff),
- (E) Treatment provider or rehabilitation provider,
- (F) Probation officer,
- (G) Court-treatment coordinator,
- (H) Treatment court graduate, and
- (I) Public member.

**COLLABORATIVE JUSTICE COURTS
ADVISORY COMMITTEE**

ANNUAL PROGRESS REPORT

FEBRUARY 7, 2003

Executive Summary

Background

In the 1990s, a range of courts implementing therapeutic and restorative justice principles and models developed in California. These courts included (but were not limited to) drug courts, domestic violence courts, peer/youth courts, mental health courts, homeless courts, and community courts. The development of these courts occurred during a period of increased filings of cases involving family and juvenile matters, domestic violence, drugs, mental illness, and homelessness. Collaborative justice is one of the strategies used to adapt to these complex, high-workload cases.

In January 2000, Chief Justice Ronald M. George appointed the Collaborative Justice Courts Advisory Committee to advise the Judicial Council in the area of collaborative justice and to assist trial courts. The committee's charge addresses areas of funding, evaluation, education and outreach, and the identification and dissemination of best, or promising, practices to help courts improve their effectiveness and efficiency.

Despite the impacts of budget reductions and policy changes during 2002, such as the implementation of Proposition 36, the number of collaborative justice courts did not change significantly. There were 248 in 2002, whereas 252 of these courts were identified in 2001. Budget constraints during the next two years are likely to exacerbate many of the problem areas addressed by these courts, and the committee will focus on improving the efficiency and effectiveness of case processing to meet these needs.

The committee is currently involved in several long-term projects:

- A long-term cost-benefit study of California drug courts;
- A project to identify promising practices in courts statewide, with a national frame of reference, and to disseminate the practices to local courts;
- A cost-benefit analysis of dependency drug court models being developed with the Department of Social Services;
- A project, in collaboration with the Center for Judicial Education and Research (CJER), to develop recommendations for minimum judicial education standards and effective education programs in the area of collaborative justice; and
- An ongoing grants administration project and a project to develop strategies for long-term funding.

Projects and Findings

Projects and findings that are key in the fulfillment of the committee's charge are summarized below.

EVALUATING COST AND EFFECTIVENESS

Collaborative justice courts are recognized for the benefits they offer individuals and communities, such as improved access to justice and improved public service. However, there are concerns about the cost-effectiveness and workload demands of these courts.

This report reviews recent data from committee projects involving two statewide studies of drug courts. The committee plans to use these studies as a basis for future cost-benefit analyses of other types of collaborative justice courts.

The studies show substantial savings to trial courts and to the justice system as a result of reduced prison and jail costs, reduced recidivism, and efficiencies in case processing. Key findings follow.

- The first phase of a statewide cost study of adult drug courts, conducted by the Administrative Office of the Courts (AOC), began in 1998 with a detailed study of three adult drug courts. Phase I covered four years and was completed in 2002. Findings from Phase I were as follows:
 - Avoided criminal justice costs averaged approximately \$200,000 annually per court for each 100 participants.
 - All drug courts in the study showed “cost avoidance” for trial courts after the first year of operation. Two of the three courts studied showed reduced trial court costs that began in the first year and were conservatively estimated at \$50,000 per court over the course of the study.
 - With 90 adult drug courts operating statewide as of 2002, and drug court caseloads conservatively estimated at 100 participants per year, the annual statewide cost savings for adult drug courts suggested by these data is \$18 million per year.
- The Drug Court Partnership evaluation was co-administered by the Department of Alcohol and Drug Programs and the AOC and was released in March 2002. Data collection took place from January 2000 through September 2001. The key findings were as follows:
 - Arrest rates, compiled from 17 counties for 1,945 participants who completed drug court, declined by 85 percent in the first two years after

admission, compared to the two years prior to entry; conviction rates for the same participants declined by 77 percent; and incarceration rates declined by 83 percent.

- Social outcome data, compiled from 28 counties for 2,892 participants, indicated that 70 percent of participants were employed upon completion of drug court, whereas only about 38 percent were employed at entry; 96 percent of drug tests were negative; and 96 percent of the babies born to program participants—132 babies—were drug free at birth.
- Cost offset and avoidance was estimated at \$43 million, predominantly due to avoided jail and prison costs; \$1 million of the cost offset was due to collection of fees and fines.

To validate the initial findings for adult drug courts, the cost study is being extended to six additional courts. The committee also plans to extend cost-benefit analyses to other types of collaborative justice courts through new projects such as the pending cost-benefit evaluation of the SARMs dependency drug court system in San Diego, developed with the Department of Social Services and the Department of Alcohol and Drug Programs.

ADMINISTERING FUNDING AND ASSESSING UTILIZATION

During fiscal years 2001–2002 and 2002–2003, the committee administered awards totaling \$3.28 million to 97 collaborative justice court programs in 35 courts, of which \$1.28 million was provided by the Office of Criminal Justice Planning. Collaborative justice courts with a substance abuse focus, family treatment courts, juvenile drug courts, and peer/youth courts were funded through these awards. During fiscal year 2001–2002, 3,877 participants were admitted to these programs and 2,009 graduated.

Funding of approximately \$15 million per year for drug courts in 47 counties was co-administered by the Department of Alcohol and Drug Programs and the AOC through the Comprehensive Drug Court Implementation and the Drug Court Partnership program during the same period. There were approximately 8,600 participants per year in these programs.

Proposition 36 became effective in July 2001, with \$120 million per year distributed to counties by the Department of Alcohol and Drug Programs for the operation of the program. The committee supported efforts to integrate Proposition 36 into the existing drug court system. In the first year of implementation, an estimated 32,000 offenders participated.

In 2002 additional funds were obtained through the federal Department of Justice to fund the statewide cost-benefit evaluation of drug courts. A joint project of the committee and CJER has also been identified for funding from the California Endowment/University of California, San Diego. Currently, the committee has applications pending with the Office of Criminal Justice Planning and the Office of Traffic Safety.

IDENTIFYING AND DISSEMINATING PROMISING PRACTICES

The committee developed a project to identify promising practices and is currently completing the second phase of that project.

- Phase I identified essential elements of collaborative justice courts; developed a method by which to characterize promising practices; and reviewed practices in California courts within a national context.
- Phase II surveyed collaborative justice courts for use of essential elements and identified practices reported as promising.
- Phase III will identify methods for disseminating information about promising practices to collaborative justice courts in California on an ongoing basis, with particular attention to practices for which effectiveness has been evaluated.

EDUCATION AND OUTREACH

The committee entered into a joint project with the Drug and Collaborative Court Education Committee, appointed by the CJER Governing Committee, to develop recommendations regarding minimum judicial education standards in collaborative justice.

In preparing to develop education standards and recommended programs, the committee piloted education projects in multiple “formats” to determine cost-effective methods of providing education programs in collaborative justice. These projects included: (1) a newly designed Web site on collaborative justice, with links to national and statewide resources; (2) a mental health courts broadcast; (3) presentations by committee members and staff at national and statewide conferences; (4) an online Proposition 36 course; and (5) participation in the planning and implementation of a statewide Proposition 36 conference sponsored by the Department of Alcohol and Drug Programs.

Media outreach activities, coordinated with the Office of Communications at the AOC, highlighted milestones reached during the past year, such as a keynote speech by Chief Justice Ronald M. George at the San Francisco Drug Court graduation, release of the Drug Court Partnership evaluation, receipt by California drug courts of the National Drug Court Month award, and participation of the Administrative Director of the Courts and committee members in meetings with the White House Office of National Drug Control Policy.

Conclusion

The activities undertaken by the committee to fulfill its charge are reviewed in detail in the following report. The report and attachments also contain a review of the evaluation outcomes, summaries of identified promising practices, and discussions of the education and outreach projects. The committee recommends that the next progress report to the Judicial Council occur in 24 months.

Progress Report

Overview of Activities

The Collaborative Justice Courts Advisory Committee identified the defining elements of collaborative justice courts and surveyed California's courts to determine the growth of collaborative justice, as detailed in the report presented to the council in December 2001. These defining elements were used in projects during 2002 that assessed the effectiveness of local courts, identified and disseminated "best or promising practices" to courts, provided outreach activities to support collaborative justice courts, and identified emerging collaborative justice courts.

Activities undertaken to fulfill the committee's charge included:

1. Assessment of the success and effectiveness of local collaborative justice courts, and evaluation of long-term effectiveness;
2. Dissemination of "best practices" information to the courts;
3. Development of minimum judicial education standards and activities;
4. Identification of potential funding sources;
5. Recommendations about AOC grant programs; and
6. Identification and use of outreach activities needed to support collaborative justice courts.

Collaborative Justice Courts Survey

The committee's December 2001 report to the Judicial Council noted significant increases in collaborative justice courts in California during the 1990s. The proliferation of these courts corresponds to societal changes that occurred during the 1980s and 1990s, including dramatic increases in drug addiction and abuse as well as increases in homelessness, marital dissolution, and juvenile crime and violence. These changes were reflected in the case types and numbers of case filings seen in the courts. In addition, the effects of policy changes, such as de-institutionalization of the mentally ill, mandated reporting of child abuse, and prosecution of domestic violence incidents continue to affect court caseloads.

Increases have occurred in workload-intensive cases, including criminal filings and case types related to family and juvenile matters, such as family law, mental health, probate, delinquency, and dependency. Collaborative justice is one of the innovative strategies courts use to adapt to complex, time-consuming cases.

In its most recent survey the committee noted that, despite changes in policies (such as the implementation of Proposition 36) and budget pressures, the number of these courts did not change significantly. There were 248 in 2002, and 252 in 2001. The following table shows the numbers and types of collaborative justice courts identified in the surveys from those two years.

Type of Collaborative Justice Court	Number of Courts (2002)	Number of Courts (2001)
Adult drug courts	90	91
Community courts	2	2
Domestic violence courts	30	30
Family treatment courts	7	7
Homeless courts	6	6
Juvenile drug courts	32	34
Dependency drug courts	24	22
Mental health courts	13	16
Reentry drug courts	4	4
Youth/peer courts	34	34
Other	6	6
Total	248	252

Identification and Dissemination of Best Practices Information to the Courts

BEST OR PROMISING PRACTICES

The advisory committee's charge discusses "best practices" guidelines and locally generated best practices. However, the advisory committee report to the Judicial Council in December 2001 indicated that the committee's preferred terminology at this time is "promising practices" and noted that the criteria for determining such practices have not been fully defined. Thus, the committee's initial efforts have been to establish frameworks for identifying and characterizing promising practices.

Identifying and Characterizing Promising Practices

The efforts of the committee to identify promising practices developed in three phases, as follows:

- Phase I: Definition of essential components of collaborative justice courts; development of a method by which to characterize promising practices; and review of the practices in California courts within a national context.
- Phase II: Survey of collaborative justice courts for the use of essential elements and identification of practices reported to be highly effective and promising.
- Phase III: Establishment of a method for identifying promising practices and disseminating information about promising practices to collaborative justice courts in California on an ongoing basis, with particular attention to practices for which effectiveness has been evaluated.

PHASE I: DEFINING ESSENTIAL COMPONENTS OF COLLABORATIVE JUSTICE COURTS

As narrated in detail in its December 2001 report to the Judicial Council, in Phase I, the committee contracted with the National Center for State Courts (NCSC) to identify national trends in collaborative justice courts, with particular attention to identifying best or promising practices. NCSC was chosen in part because of its work with the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) in hosting and staffing a Best Practices Institute. NCSC's report to the committee highlights many of the considerations that the committee reviewed in developing methods of identifying promising practices.

For instance, the Best Practices Institute noted tensions between the need to identify practices that address emerging issues and the need to identify proven practices about which there is already much confidence. The committee addressed this concern by developing a method of characterizing identified practices as “effective,” “promising,” or “emerging.”

The committee's primary initial project was to identify the defining elements of collaborative justice courts as a foundation for considering the practices of specific courts.

These defining elements were noted in the committee's December 2001 report to the Judicial Council as follows: “Collaborative justice courts include integration of services with judicial case processing, ongoing judicial intervention, close monitoring of and immediate response to behavior, multidisciplinary involvement, and collaboration with community-based and government organizations.”

In addition, the advisory committee identified 11 essential components, or guiding principles, of collaborative justice courts:

1. Integrate services with justice system processing;
2. Achieve the desired goals without the use of the traditional adversarial process;
3. Intervene early, and promptly place participants in the collaborative justice court program;
4. Provide access to a continuum of services, including treatment and rehabilitation services;
5. Use a coordinated strategy that governs the court's responses to participants' compliance, using a system of sanctions and incentives to foster compliance;
6. Use ongoing judicial interaction with each collaborative justice court participant;
7. Use monitoring and evaluation to measure the achievement of program goals and gauge effectiveness;
8. Ensure continuing interdisciplinary education;
9. Forge partnerships among collaborative justice courts, public agencies, and community-based organizations to increase the availability of services;
10. Enhance the program's effectiveness and generate local support; and
11. Emphasize team and individual commitments to cultural competency.

PHASE II: IDENTIFYING PROMISING PRACTICES

Phase II of the process has focused on developing a methodology for identifying promising practices in California. Promising practices have been identified from a review of the Ralph N. Kleps Awards, for Improvement in Administration of the Courts, as well as through initial reviews of local and national evaluations. An initial summary of identified practices, by court type, is attached at page 40.

Family and Juvenile Court Practices. Committee and staff from the Center for Families, Children & the Courts (CFCC) collaborated on the identification of promising practices among courts of similar type. These types include juvenile justice, family violence, and juvenile dependency courts.

The Collaborative Justice Courts Advisory Committee supported CFCC staff and a member of the Family and Juvenile Law Advisory Committee in participation in the Balanced and Restorative Justice (BARJ) Project. California is one of seven states selected to participate in the BARJ Project, which is sponsored by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) and administered by Florida Atlantic University (FAU). FAU will assess the effectiveness of BARJ programs nationally. This year, in an effort to gauge the prevalence of BARJ principles in practice throughout California, CFCC is conducting a statewide survey of juvenile probation services that are balanced and restorative in nature. The results of that survey will be used in several ways. For instance, CFCC plans to develop a publication enumerating and describing balanced and restorative justice programs in California in order to gain an understanding of program innovations and to serve as a blueprint for developing programs in other jurisdictions. From the CFCC survey the

FAU researchers will select a sample of California counties engaged in BARJ practices to evaluate.

Domestic violence court practice is another area of intense interest for CFCC. Assembly Bill 160 mandated a protocol for courts' coordination of protective orders in domestic violence cases. The protocol is considered a best practice in the area of domestic violence and has been implemented in the development of many domestic violence court models. A summary of this mandate is noted below:

Penal Code section 136.2, as amended by Assembly Bill 160, required the Judicial Council to promulgate a protocol by January 1, 2003, for information sharing among criminal, family, and juvenile courts regarding the existence and terms of criminal court protective orders and child custody and visitation orders involving the same parties. The statute requires local courts to adopt the protocol in substantially similar terms.

According to the statute, the protocol must include "mechanisms for assuring appropriate communication and information sharing between criminal, family, and juvenile courts concerning orders and cases that involve the same parties."

Rule 5.500 of the California Rules of Court was adopted to comply with the statute. The rule sets forth a guideline for courts to follow as they develop their rules regarding communication, and it provides some latitude to accommodate differences in technology and practices throughout the state. Courts are required to develop procedures that include (1) reasonable efforts to determine the existence of a criminal protective order and a custody or visitation order involving the same parties and (2) modification of a criminal protective order after consultation with a court that has issued a subsequent child custody or visitation order, to allow a criminal defendant to have contact with his or her children.

Another important development in the area of domestic violence courts was the publication in May 2002 of the report *Creating a Domestic Violence Court: Guidelines and Best Practices*, by attorney Emily Sack, through the Family Violence Prevention Fund with a grant from the State Justice Institute. CFCC staff presented information from this work at a committee meeting. The book provides guidelines for the components of a domestic violence court and offers several models around the country. One is in California: the domestic/family violence victim advocacy project at the Santa Clara County Juvenile Domestic and Family Violence Court. This project is noted for its development of "detailed procedures for providing relevant information to victim advocacy groups in order to enhance outreach to victims, while protecting victim confidentiality."

California Models/National Trends.

Unifying Practices. Also during Phase II, NCSC expanded its national study to identify key unifying practices through a Delphi survey of judges in collaborative justice courts. The NCSC's discussion of efforts to evaluate and identify specific practices in collaborative justice courts suggests that national projects in this area are principally descriptive; few are evaluative studies of specific court types. In addition, there are virtually no studies that attempt to identify overarching practices common among all collaborative court types or that attempt to identify practices as they affect outcomes in these courts. In fact, the work of the California Judicial Council's Collaborative Justice Courts Advisory Committee is the only project with a scope and focus similar to those of NCSC's efforts with CCJ/COSCA.

In addition to commissioning the NCSC study, the committee staff contracted with the Justice Management Institute (JMI) to assist in identifying promising practices in California. Both the NCSC and JMI studies identified a set of key practices and principles that mirror the 10 key components of drug courts, the 11 key components of collaborative justice courts identified by the committee, and the definitions of these courts identified by the committee and by CCJ/COSCA.

NCSC's report to the committee noted that, "practices vary considerably from jurisdiction to jurisdiction and even by different case types within a jurisdiction, but they all stress a collaborative, multidisciplinary, problem-solving approach to address the underlying issues of individuals appearing in court."

The NCSC and JMI studies identified several practices that were noted by almost all courts, regardless of the type or model, and found to be promising both in California and throughout the country. These practices were reported to be:

- Team approach
- Proactive role of the judge
- Immediacy of response
- Community involvement
- Participant accountability
- Coordination of related cases

National Practices. NCSC interviewed several collaborative justice courts across the United States, and a set of common practices emerged from this research. These practices, identified at the national level, also reflect the essential and defining elements of collaborative justice courts arrived at by the committee in Phase I. The nationally identified practices were found to be:

- Applying restorative justice principles

- Swift response to crime
- Intake and screening
- Ancillary services
- Judicial monitoring

California Practices. Committee staff contracted with JMI to develop an initial survey instrument to assist local courts in self-identifying promising practices. JMI conducted a pilot survey using the instrument and provided an interim report to the committee. The courts surveyed in the JMI pilot included family and juvenile drug courts; DUI drug courts; homeless, domestic violence, mental health, community, peer/youth, immigrant, and unified family court; and programs implementing balanced and restorative justice principles. The promising practices identified for specific courts in Phase II are among those noted, by court type, in the attachments at page 40.

JMI identified numerous practices that were common among collaborative justice courts in California and were considered innovative and potentially instructive to other problem-solving courts in the state.

The key practices areas were reported to be:

- **Institutionalization and sustainability:** Collaborative justice courts in California have focused on funding issues and other issues related to institutionalization and program sustainability.
 - *Funding:* Relying on blended funding streams, California collaborative justice courts have identified creative methods for program sustainability that include community support, private and public agency assistance, and public assistance from all levels and branches of government.
 - *Education and outreach:* Many California courts identified education and outreach as important components of institutionalization and sustainability. “Outreach” was defined as encompassing both community education and internal departmental education. Courts also noted the importance of informing judges and other professionals who are not involved in collaborative justice about collaborative justice court models. Some noted their efforts to develop interest in collaborative justice among new judges as an important practice for sustainability and institutionalization.
 - *Institutionalizing procedures:* Courts identified their efforts to develop written procedures and case processes as a means of supporting institutionalization.

- **Client-centered court programs and services:** Many of the courts reviewed in the JMI study emphasized the importance of assessing the specific needs of the target population and designing a program to meet those needs. For instance, drug courts may provide mental health assessment and treatment, domestic violence courts may provide substance abuse intervention, and juvenile courts may co-locate educational or parenting programs with the collaborative justice courts. Some courts hold hearings in locations other than the courthouse. Homeless courts and community courts, for instance, are often held at homeless shelters or community centers; teen court might be held on a school campus; and juvenile delinquency courts may be held at a detention or treatment facility.
- **Cultural competence:** One area that JMI specifically noted with respect to California collaborative courts is cultural competence. Many courts offer training in cultural competence to the entire team. Several courts reported that they utilize specific services that focus on the needs of distinct cultural groups as part of their treatment and social service referral systems. Certain courts, such as the domestic violence court in San Francisco, provide specialized services to nontraditional families and same-sex couples. One court, in Santa Clara, has developed an immigration court to assist immigrants in understanding the court system as their cases are processed. Other types of courts, such as homeless courts, elder courts, and peer/youth courts have developed competency in providing court services to specific populations.

Collaborative justice staff members and staff from the AOC Office of Communications participated in a media outreach conference for multicultural media. In addition, the National Drug Court Institute (NDCI) invited California collaborative justice staff to serve as practitioner faculty members for its Adult Drug Court Planning Initiative, with major emphasis on cultural competencies in drug courts. Committee projects, such as grant proposals and education and training activities, incorporated the following NDCI recommendations:

- Convene a cultural competency component within your steering committee to address policymaking, administration, practice and service delivery, and client issues.
- Ensure that your organization or program has a mission statement that commits to cultural competence as an integral component of all its activities.
- Network and dialogue with similar organizations and programs that have developed and implemented culturally competent service delivery systems.

- Determine the culturally, linguistically, racially, and ethnically diverse groups within the geographic locale served by your organization or program. Assess these groups' levels of access to services and levels of satisfaction with services received.
- Conduct an assessment of what organization and program personnel perceive as their staff development needs related to the provision of services to culturally, linguistically, racially and ethnically diverse groups.

Practice Differences: Comparing National and California Practices. Essential and defining practices in collaborative justice courts are observed to be almost identical in California and nationally, though there are some areas of distinction.

One area of difference that was cited in the NCSC study is in the naming of these courts. Whereas California uses the term “collaborative justice courts,” CCJ/COSCA and national nomenclature is “problem-solving courts.”

It isn't clear whether this is a matter of semantics or of focus. In its Judicial Council report presented on December 18, 2001, the committee noted that domestic violence courts are not nonadversarial and collaborative. In addition, the report also noted that in domestic violence courts treatment is viewed differently than in therapeutic courts, such as drug and mental health courts. For instance, in domestic violence courts, defendant accountability rather than batterer treatment is recognized as the primary intervention, whereas treatment courts have a somewhat different emphasis.

Thus, the “collaborative” rubric may apply less well to certain courts than does the concept of “problem-solving” courts or even “therapeutic” courts. On the other hand, many court types do emphasize collaborative approaches and nonadversarial principles, notably therapeutic jurisprudence and restorative justice models. In its future work the committee may attempt to clarify the significance of this difference between the terminology in California and nationally.

In addition to differences in nomenclature, the NCSC study found certain other trends unique to California. For instance, California's efforts to identify, define, and characterize promising practices in the full range of collaborative justice courts is one of a limited number of such projects. In addition, California is one of only a few states that attempt to coordinate and support development of the full range of collaborative justice courts as an integrated court system program.

The studies noted other unique aspects of collaborative justice in California. For instance, homeless courts were found in the NCSC study to be only in California. By contrast, community courts have been slow to develop in California. Other differences were especially evident in the areas of juvenile and family law. The

differences in this area include the comparative greater judicial involvement in peer/youth courts; more integration of drug courts in family law; and slower development of family group conferencing and unified family courts. The committee and staff will continue to observe promising practice trends at both national and statewide levels.

PHASE III: EVALUATING AND DISSEMINATING PROMISING PRACTICES

Phase III is being developed to provide methods of disseminating promising practices to courts through educational activities and information resources. In addition, the committee and staff will focus on developing a method, on an on-going basis, to identify and catalogue practices that have been evaluated and that can be shared with local courts. These projects will be integrated with committee activities in the areas of judicial education and long-term evaluations, which are detailed later in this report.

Assessment and Measurement of Success and Effectiveness of Local Collaborative Justice Courts; Evaluation of Long-Term Effectiveness

On January 30, 2003, the Conference of Chief Justices passed Resolution 13—"In support of the National Drug Court Evaluation"—which is being developed at the National Institute of Justice (NIJ) as a multisite longitudinal study over a five-year period. This resolution highlights the importance of the committee's work in the area of evaluation. This resolution is attached at page 58.

On December 17, 2002, Chief Justice Ronald M. George, as keynote speaker at the Superior Court of San Francisco County Adult Drug Court graduation, observed: "Drug courts concentrate on a focused goal—reducing repeat offenses by providing individually tailored services and responses to assist offenders who have drug abuse problems. That sounds very abstract but success is easy to measure: consider the effect on the lives of individuals who appear before drug courts and on the lives of their families."

These remarks underscore the personal and community benefits, improved access to justice, and improved public service often associated with collaborative justice courts, be they drug courts, domestic violence courts, or collaborative courts in juvenile justice, such as peer/teen courts. However, there are concerns about the cost-effectiveness and workload demands of these courts.

During 2002, the Drug Court Partnership statewide evaluation of post-plea adult drug courts, which was conducted by the Department of Alcohol and Drug Programs (ADP) in partnership with the committee, was released. Also in 2002, the first phase of the AOC statewide cost study of adult drug courts was completed. This study is being conducted as a joint project of the committee and the Research and Planning Unit at the AOC. A summary of the results of these studies follows. In addition,

Assembly Bill 444 (Stats. 2002, ch. 1022), enacted in 2002, mandates that the Department of Social Services, in partnership with ADP and the AOC, develop a cost-benefit study of the dependency drug court program, Substance Abuse Recovery Management System (SARMs), in San Diego. This project is also discussed below. The committee has partnered with ADP and the Judicial Council's Proposition 36 Implementation Workgroup in their efforts to implement Proposition 36. Initial findings from the first year of implementation, released by ADP, are included in this section. The committee's grants program has documented client utilization and other effectiveness indicators of local court programs. Those indicators are also reviewed in this section.

DRUG COURT PARTNERSHIP PROGRAM EVALUATION

The Drug Court Partnership Act of 1998 amended the Penal Code to establish a drug court demonstration program funded through four-year grants. The act defines its purpose as "demonstrating the cost-effectiveness of drug courts operating pursuant to sections 1000 to 1000.4, inclusive, of the Penal Code, and for any defendant who has entered a plea of guilty and is on active probation."

Data collection for the Drug Court Partnership program evaluation began in the spring of 1999 and was completed in the winter of 2001. As mandated by statute, the Drug Court Partnership presented process information in an interim report to the Legislature dated March 1, 2000. That report had been approved by the council at its January 26, 2000, meeting. At its January 30, 2002, meeting, the council approved the final report, which ADP released to the Legislature on March 1, 2002. A summary of the findings of this study follows, and the Executive Summary of the final report is attached at page 59.

Summary of Findings

Seventy percent of participants had used drugs five or more years, with an average of two arrests (one conviction and incarceration) per participant in the two years prior to drug court.

Crime Reduction.

- Participant arrest rate 85 percent lower in the two years after entering drug court than in the two years prior to entering drug court
- Participant conviction rate 77 percent lower in the two years after entering drug court than in the two years prior to entering drug court
- Participant incarceration rate 83 percent lower in the two years after entering drug court than in the two years prior to entering drug court
- 96 percent of drug tests of participants during drug court were negative

Cost Savings.

- \$43 million in estimated jail and prison costs averted through the \$14 million Drug Court Partnership program
- 425,014 jail days averted, estimated at \$26 million
- 227,894 prison days estimated at \$16 million averted costs
- \$1 million in fees/fines collected from participants completing drug court

Social Outcomes.

- 95% babies born to participants during drug court were drug free
- 70% of participants were employed when completing drug court, 38% were employed at time of entry into drug court
- 20% obtained drivers licenses and car insurance
- 12% transitioned out of homelessness and acquired housing

CALIFORNIA STATEWIDE DRUG COURT COST STUDY

In 1998 the AOC applied for a grant from the Drug Courts Program Office (DCPO) of DOJ to establish a method for evaluating adult drug court programs in California. The grant was funded, and in May 2000 the AOC contracted with Northwest Professional Consortium (NPC) Research to conduct a long-term statewide cost analysis of adult drug courts. This study was summarized in the report submitted to the council in December 2001. It is essential to have methodologically sound analyses of the costs and benefits of collaborative justice courts. Aware of the absence of such analyses, policymakers have been reluctant to permanently fund these programs. This type of cost analysis in California is necessary if policymakers are to make informed decisions about the efficacy—and thus continued funding—of collaborative justice programs.

The purposes of this statewide evaluation are:

1. To develop a methodology that can be used by drug courts statewide for ongoing cost-benefit evaluation beyond the conclusion of this project.
2. To answer two critical drug court policy questions:
 - a. Are adult drug courts cost effective?
 - b. What adult drug court practices appear most promising and cost-beneficial?

The study was designed to address these questions in three phases. The Phase I final report was submitted to DCPO in September 2002. The Executive Summary of the report is attached at page 64. It consisted of both an outcome evaluation and a cost-avoidance analysis in three adult drug courts, the purpose of which was to develop the preliminary methodology and protocols for cost evaluation.

The AOC received a \$300,000 grant from DCPO April 2002 to start Phase II of the study. An additional \$300,000 from the Trial Court Improvement Fund will be used to budget Phase II.

In Phase II (currently in progress), the methodology and protocols will be tested in six additional courts, and a preliminary tool for drug court self-evaluation (the DCSET) will be created.

In Phase III, the DCSET will be tested in several drug courts and then launched statewide. The three phases will result in recommendations for policymakers and practitioners regarding the cost-effectiveness and promising practices of California adult drug courts as well as a method for continuous self-evaluation by drug courts.

The main task of Phase I was to use NPC Research's approach to the study of costs and avoided costs—called transaction cost analysis (TCA). The NPC approach to TCA focuses on the transactions that occur as a program participant moves through the various elements (e.g., agencies and activities) of the program system. This approach includes both direct and indirect (institutional) costs.

The main products of Phase I include:

- A preliminary method and the development of protocols for cost evaluation of drug courts;
- Preliminary costs and avoided costs and promising proxies (cost estimates) from the three participating adult drug courts; and
- An examination of the usefulness and effectiveness of the NPC Research approach to cost evaluation.

An examination of the cost results revealed a great deal of information of interest and use to researchers and policymakers. Policymakers can use the information on avoided costs and opportunity resources to make informed decisions on the allocation of funds. Following are some of the preliminary cost results in the Phase I report.

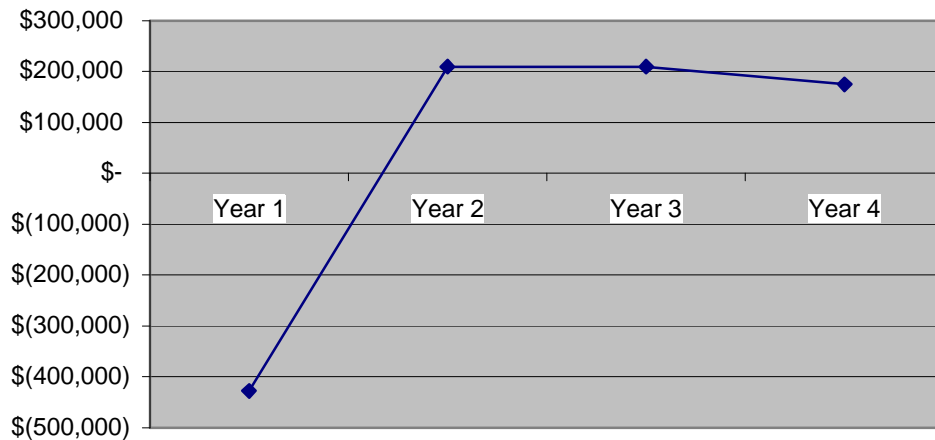
Cost-Saving Highlights from the Report

As Figure 1 shows, the preliminary result for the cost-effectiveness of drug courts, based only on the three Phase I sites, was that after high investment costs, the three drug courts did experience savings in criminal justice costs over time. Figure 2 lists the investments of participating agencies. Knowing how much an agency spends on drug court and on its component transactions, and how much that agency will save over time, allows the agency to plan alternative uses for its cost savings. In example 1

below, it also suggests that the avoided costs are not always experienced by the same agency that put in the most resources.

Example 1: Total Avoided System Costs. One use of the data is to examine total system costs compared to total system avoided costs. As an example, Figure 1 displays the per-year avoided costs for one of the three courts, called Court 1.

Figure 1. Avoided Costs per 100 Participants



The negative avoided costs in year 1 are due to the large initial investment in drug court (\$557,063), which is not outweighed by the \$129,493 in net avoided costs realized in the first year. However, Court 1 realizes avoided costs in years 2 through 4 (approximately \$200,000 each year), and by year 4 the court has paid off the initial investment and is realizing cost savings. Should the trend in avoided costs continue, Court 1 would realize additional avoided costs each subsequent year, in the form of approximately \$200,000 per year for every 100 participants (not including victimization costs). With this trend, by the ninth year after a participant entered drug court, Court 1 would see \$1,000,000 saved for every 100 drug court participants.

Example 2: Investments and Avoided Costs of Drug Court by Agency. The drug court participant cohorts at all three Phase I sites experienced lower recidivism than the comparison cohorts. Agencies involved in the drug court programs make an initial investment for each drug court participant with the hope that over time this investment will be outweighed by avoided costs. NPC's TCA model allows for the compilation of investment and avoided costs for each agency involved in drug courts, which in turn can aid policymakers and agency administrators with program planning and budgeting decisions. The examples in Figure 2, which are from only one court, illustrate the type of data available at the agency level as well as how these data are useful to policymakers.

Figure 2. Court 1 Investments and Avoided Costs by Agency Over Four Years (per 100 participants)

Agency	Investment	Cost Avoidance
Superior court	\$ 99,353	\$ 1,166
District attorney	36,550	– 579
Public defender	– 7,644	– 2,050
Probation	109,865	24,174
Law enforcement	141,060	100,281
California Department of Corrections	0	584,945
Victimization costs		\$ 695,000 ¹
Total criminal justice system	\$379,184	\$1,399,187

Summary of Phase I Findings

The transactional cost analysis performed by NPC Research is intended to enable policymakers to make informed choices about future funding of collaborative justice courts.

Phase I of the statewide cost study of adult drug courts showed substantial savings to trial courts and to the justice system as a result of reduced prison and jail costs, reduced recidivism, and efficiencies in case processing. Key findings of Phase I were as follows:

- Avoided criminal justice costs averaged approximately \$200,000 annually per court for each 100 participants.
- All drug courts in the study showed cost avoidance for trial courts after the first year of operation. Two of the three courts studied showed reduced trial court costs that began in the first year and were conservatively estimated to be approximately \$50,000 per court over the course of the study.

¹ This figure assumes that an average of four crimes of these types were committed for every one that resulted in an arrests (based on the national Victimization Survey)

EVALUATION OF THE DEPENDENCY DRUG COURT, SUBSTANCE ABUSE RECOVERY MANAGEMENT SYSTEM (SARMS) MODEL

Pursuant to Assembly Bill 444 (Stats. 2002, ch. 1022), the committee staff is collaborating with the Department of Social Services and ADP to assist in development of a cost-benefit analysis of the SARMS program in San Diego. This effort began in 2003 and will include data from the national evaluation of dependency drug courts funded by the Center for Substance Abuse Treatment (CSAT), in which the San Diego SARMS program was a participant. The CSAT evaluation consists of retrospective study of five court sites, which concluded in 2002, and a prospective cost-benefit studies to be conducted by NPC Research. The Department of Social Services is preparing a report for the Legislature for March 2003 that will outline progress in developing the cost-benefit analysis of SARMS.

The SARMS program has provided the following summary, which includes a description of its role as a local model of reform in the dependency process.

THE DEPENDENCY COURT RECOVERY PROJECT

The Need for Reform

San Diego County receives approximately 90,000 reports of suspected child maltreatment each year. There are approximately 7,500 children in the County's dependency system.

In the past, the Court had difficulty making placement decisions for children in conformity with statutory time frames. Federal and California statutes require case resolution within 6, 12, or 18 months of the inception of the case. As of June 1994, San Diego County case resolution averaged approximately 34 months.

A review of case files indicated that 80% of dependency cases involved alcohol and drug abuse by one or both parents. Because parents did not get prompt and effective treatment, the Court had to extend deadlines for parental compliance with court-ordered case plans. Children were spending significant amounts of time in foster care and more than 50% of the children in foster care had three or more changes in placement, causing them further trauma.

The Reform Proposals

THE Dependency Court RECOVERY PROJECT emphasizes compliance with statutory time lines for decision-making in all dependency cases. In order to accomplish this objective, several reforms have been instituted. They include a specific set of options to address substance abuse concerns, as well as general court reform measures:

- **Implementation of the Substance Abuse Recovery Management System (SARMS)**
- **Implementation of Dependency Drug Court**
- **Availability of alcohol and drug treatment for parents upon assessment**
- **Increased participation of Court-Appointed Special Advocates (CASAs)**
- **Redefinition of the roles of the key players within the dependency system**
- **Utilization of settlement conferences**
- **Improvement of the automated tracking system**

Each of these measures requires the Court to collaborate with the agencies and individuals who are impacted by the changes. *The safety of the child is the primary consideration underlying all efforts.*

The Commitment

THE Dependency Court RECOVERY PROJECT is designed to substantially reduce the time children spend in temporary foster care and reunify a greater number of children with their parents. Children who cannot be safely reunified are to be adopted or placed in some other permanent living arrangement within statutory time frames.

The reform effort will improve the prognosis for children who are dependents of the Court. Substantial savings in foster care expenses will make more funds available for drug and alcohol treatment programs for parents and dependents of the Court. Through better management of cases, the Court hopes to improve programs for children and families while controlling costs.

Expected Outcomes

The changes accomplished through THE Dependency Court RECOVERY PROJECT will result in:

- Processing all cases within statutory time lines;
- Expediting substance abuse assessments;
- Meeting the "reasonable efforts" requirements of the law;
- Reducing the frequency and length of foster care placements;
- Providing immediately available services and "S.A.F.E. (Sober and Friendly Environment) house" residences for parent(s) with their child(ren) during recovery;
- Increasing parents' personal responsibility and accountability for compliance with case plans;
- Operating a recovery management system to engage parents in appropriate

- treatment, monitor progress, and increase judicial oversight;
- Reducing court workload;
- Determining appropriate permanent placement plans for children; and
- Accomplishing family preservation, reunification, or permanent placement in a timely manner.

Implementation of the Substance Abuse Recovery Management System (SARMS)

The cornerstone of THE Dependency Court RECOVERY PROJECT is the implementation of a Substance Abuse Recovery Management System (SARMS) to make alcohol and drug treatment immediately available for parents. SARMS is an extensive case management system operated by contract with Mental Health Systems, Inc., which began receiving referrals from the Dependency Court on April 13, 1998. They are responsible for assessing the client's appropriate treatment plan and for monitoring their progress/compliance with that plan. SARMS reports this information to the court twice a month for regular clients and weekly for drug court clients.

Parents attend counseling, therapy, education sessions, and recovery support groups meetings through community-based treatment programs. They also submit to frequent random alcohol and drug tests. Failure to comply with the RSP may result in sanctions such as findings of contempt and the possibility of a fine and/or incarceration for up to five days.

SARMS serves all seven Dependency Courts at the four Superior Court locations in the County.

Dependency Drug Court and SARMS

SARMS participants having difficulty meeting treatment goals may be eligible to participate in Dependency Drug Court. Participation is voluntary, subject to the approval of the Dependency Drug Court Judge.

COMMITTEE SPONSORED GRANT PROGRAMS

The grants projects offer an opportunity to measure utilization and outcomes for collaborative justice court programs. Such data provide a baseline from which to develop further study. As part of its future activities, the committee will combine its projects in long-term and local evaluations with the promising practices project to assist courts in identifying and evaluating practices on an ongoing basis.

Recommendations About AOC Grant Programs

Another of the original charges of the Collaborative Justice Courts Advisory Committee was to report to the Judicial Council about the grant funding it administers. The AOC administers two grants programs for collaborative justice

courts: a mini-grants program funded by the Governor's Office of Criminal Justice Planning (OCJP) and a grants project funded through the AOC drug court projects.

AOC DRUG COURT PROJECTS: FUNDING AND UTILIZATION

During fiscal year 2001–2002, AOC drug court projects provided funding for 12 family treatment courts and for a grant program for 11 collaborative justice courts that have a substance abuse focus. The statistical results from grantee courts are summarized below.

FAMILY TREATMENT (2001–2002 Grant Period)	TOTAL
Number of participants admitted to program	1393
Number of participants terminated from program	122
Number of participants graduated from program	968
Number of participants who gained/regained employment	73
Number of participants who completed GED	3
Number of family reunifications as a result of participation in program	89
Collaborative Justice/Substance Abuse Focus (2001–2002 Grant Period)	TOTAL
Number of participants admitted to program	1243
Number of participants terminated from program	356
Number of participants graduated from program	246
Number of participants who gained/regained employment	418
Number of participants who completed GED	62
Number of family reunifications as a result of participation in program	26

In fiscal year 2002–2003, these programs were combined into a program funding collaborative justice courts, including many family treatment courts, that have a substance abuse focus. The funding levels remained at \$1 million both years. The proposed budget for fiscal year 2003–2004 also funds this program at the \$1 million level.

OCJP MINI-GRANTS: FUNDING AND UTILIZATION

Since 1996 the AOC has provided pass-through mini-grants from OCJP for drug courts in California. The first four years of funding provided general funding to both adult and juvenile criminal drug courts. These four years of funding provided \$3.5 million to the courts. The fifth year of funding required a change to a “family focus,” which resulted in grant funding of \$500,000 for juvenile delinquency drug courts, juvenile dependency drug courts, and a family law drug court. This change resulted in

the funding of a combination of criminal and civil drug courts. For 2001-2002, OCJP provided \$1 million to fund a juvenile focus only, and therefore funding was subsequently awarded to 14 juvenile delinquency drug courts and 13 teen/youth courts.

Statistical report results from grantee courts are summarized below.

Juvenile Delinquency Drug Court (2001-2002 Grant Period)	Total
Number of participants admitted to program	412
Number of participants terminated from program	231
Number of participants graduated from program	131
Number of participants who gained/regained employment	135
Number of participants who completed GED	46
PEER/YOUTH COURTS (2001-2002 Grant Period)	
	Total
Number of participants admitted to program	829
Number of participants completing program	664
Number of participants who reoffended prior to completion of program	5
Number of participants who reoffended after completion of program	16

For 2003–2004, the funding through OCJP was continued through residual funds in the Juvenile Accountability and Incentive Block Grant (JAIBG) program, which provided \$282,000 for collaborative justice courts in the juvenile justice system. The committee was invited to apply for renewable JAIBG funding for juvenile justice collaborative courts, and submitted a proposal in May 2002, which is pending for fiscal year 2004–2005. Generally, these mini-grants have ranged from \$20,000 to \$40,000 per court program, although efforts are being focused to raise the levels of these awards by combining funding sources and increasing the funding levels for the juvenile justice programs.

ADDITIONAL FUNDING SOURCES

Committee members and staff participate with ADP, according to statute, in the administration of several state-funded programs that support projects related to drug or substance abuse courts. The drug court programs are based on the Drug Court Partnership Act and the Comprehensive Drug Court Implementation Act. Participation in these programs is estimated to be approximately 8,600 people per year. The Proposition 36 Implementation Workgroup and the committee also

participated with ADP in statewide implementation of this substance abuse court–related initiative.

Drug Court Partnership Act

In addition to the demonstration program generated by the Drug Court Partnership Act, ADP granted \$7.6 million annually to 34 counties in support of adult postplea drug courts through the Drug Court Partnership program. This program was extended through 2002–2003 at the same funding level, but the focus of the program was changed to serve felony offenders only. The current proposed budget for fiscal year 2003–2004 continues the level of funding. However, this program may be realigned so that the program will be locally administered and funded through new revenue sources.

Comprehensive Drug Court Implementation Act

The Comprehensive Drug Court Implementation Act of 1999, passed by the California Legislature and codified as Health and Safety Code sections 11970.1–11970.4, provides funding to “drug court systems” including those for (1) juvenile offenders, (2) parents of children who are detained by or dependents of the juvenile court, (3) parents of children in family law cases involving custody and visitation issues, (4) criminal offenders under Penal Code sections 1000.1–1000.5, and (5) other drug court systems approved by the Drug Court Partnership Executive Steering Committee. The State Budget for fiscal year 2000–2001 provided \$10 million for this previously unfunded act.

This act provided \$10 million in funding for 2000–2001 but sustained a funding cut in 2001–2002. Courts are required to provide a 10 percent match for years one and two and a 20 percent match for years three and four. The original intent of this act was to provide funding at least through January 1, 2005 (five years).

Funding for the Comprehensive Drug Court Implementation Act was reduced to \$7 million in fiscal year 2003–2004. ADP as lead agency, with the concurrence of the AOC, applied the cut among counties equally. In fiscal year 2004–2005, the proposed budget continues the program at the current level of funding. The program may be realigned so that administration occurs at the local level and funding is provided through new revenue sources.

Proposition 36

The intent of the initiative was to provide \$60 million in funding for Proposition 36 in 2001–2002 and \$120 million for each of the following four years. The current budget proposal is that this program be continued at its current funding level. This program also may be realigned so that administration occurs at the local level and the program is funded through new revenue sources. Mental health funds for drug testing of

Proposition 36 clients who have mental disorders have been made available through the Department of Mental Health.

The committee and the Proposition 36 Implementation Workgroup developed models that integrate Proposition 36 into the drug court system, and assisted courts in implementing this new law. The Department of Alcohol and Drug Programs (ADP) has released a first-year implementation report, and the executive summary is attached at page 71. During the first year of Proposition 36 implementation, approximately 32,000 offenders entered treatment. Estimates from the first six months indicate that approximately 60 percent of those who were referred for assessment entered treatment, and preliminary data from the first year indicate that both the numbers of offenders in the program and the percentage entering treatment have subsequently increased.

The number of participants is reported to be lower than initially predicted, in part because some offenders, especially misdemeanants, declined to participate or initially participated in alternate programs such as PC1000 or preplea drug courts. Consequently, the participants in Proposition 36 represent a higher number of felony cases with longer, more severe histories of drug and criminal involvement than originally anticipated. It has also been reported by the California Department of Corrections that an 11 percent decline in the female prison population is attributable to Proposition 36.

The committee, staff from the AOC's Research and Planning Unit, and staff from the AOC's Office of Governmental Affairs surveyed Proposition 36 judges statewide and made a legislative proposal concerning transfer of cross-jurisdictional Proposition 36 cases. The proposal was approved at the December 2002 meeting of the Judicial Council. Subsequently, Assembly Member Mark Leno introduced Assembly Bill 1306 on February 21, 2003. A copy of this council-sponsored legislation is attached at page 79.

Identification of Potential Funding Sources

The committee currently has a proposal pending at the OCJP to develop collaborative courts within the juvenile justice system. In addition, a proposal has been submitted to the Office of Traffic Safety for DUI drug courts that focus on youth at risk of committing multiple DUI offenses. This proposal would provide funding for fiscal years 2003–2004 and 2004–2005.

The committee also partnered with CJER to identify funding for judicial education programs for drug court and Proposition 36 judges. The committee's proposal was included in the UCLA recommendation to the California Endowment for a \$40,000 level of funding for fiscal year 2003–2004 for this training. In addition, the UCLA Addiction Technology Transfer Center wishes to support judicial

education and has contacted the committee. Finally, the National Drug Court Institute has been in contact with the committee and ADP regarding implementation of a recent grant for judicial education. These funding streams are being coordinated to provide a blended, integrated program of Proposition 36 and drug court judicial education.

Funding sources for other types of collaborative justice courts are being identified in cooperation with the AOC's Grants Unit. During fiscal year 2002–2003, Collaborative Justice Courts Advisory Committee staff and Grants Unit staff collaborated to provide technical assistance to courts seeking federal grants for mental health and drug courts. The committee and staff also have provided technical assistance to courts that are seeking local funding and developing blended funding strategies for these courts.

Identification and Use of Outreach to Support Collaborative Justice Courts

IDENTIFYING AND DISSEMINATING LOCALLY GENERATED BEST PRACTICES

This section summarizes the committee's efforts at outreach and its dissemination to the courts and public of information on locally generated best practices. The committee developed several methods of dissemination including the following:

- *Updated Collaborative Justice Web Site*

The AOC's Collaborative Justice Program Unit significantly expanded and redesigned its Web site, expanding the coverage of collaborative justice content on the public site. Both the Serranus site and the public site have sections about Proposition 36, as well as a Proposition 36 online course that was updated this year by CJER.

The collaborative justice site now includes descriptions of types of collaborative justice courts, and program components; funding information; national and statewide evaluations; information on Proposition 36; and resource links to other agencies. The development of the Collaborative Justice Courts Advisory Committee and its mission statement are included, as well as a history of collaborative justice and drug courts in California. There is a new feature called What's New, which describes current statewide drug court activities.

The collaborative justice Web site was used to host a special event during National Drug Court Month—the drug court photo essay that featured drug courts statewide. This activity was developed in partnership with drug court coordinators statewide, whose efforts to celebrate Drug Court Month resulted in California's receiving a

national recognition award for Drug Court Month from the National Association of Drug Court Professionals.

Fact Sheets

Fact sheets concerning collaborative justice courts were updated to provide a focus on all collaborative justice courts. The updated fact sheet is in the attachments at page 85.

Mental Health Courts Satellite Broadcast

Working collaboratively with CJER, the Education Subcommittee of the advisory committee organized its first educational satellite broadcast on mental health courts. The broadcast grew out of the committee recommendations regarding the need for innovative, collaborative programs for adult offenders with mental disabilities. The subcommittee chose distance education as an alternative to an on-site conference—both as a cost-saving measure and to assist court-community collaboration at the local level. The intent of the educational broadcast was to assist courts in developing specialized procedures for mentally ill offenders or to assist in developing a mental health court.

The two-and-a-half-hour broadcast included an opening video segment that dramatized the problems of mentally ill offenders in court settings; presentations by two local psychiatrists on mental illness and pharmacology; short video testimonials; and a panel of California mental health court judges and a psychiatrist to respond to faxed questions from around the state. Viewers had the opportunity to submit questions and to have local discussions during “local activity breaks.” Resource packets with background information were also provided.

The subcommittee solicited the participation of key court-community stakeholders, including judges, court administrators, district attorneys, public defenders, the sheriff’s department, police, probation, and the public health director in the program.

Broadcast Evaluation and Follow up. The broadcast was viewed in 29 court locations with an estimated 450 participants. Three courts—those in Nevada, San Francisco, and Kern Counties—are currently planning mental health courts and reported that the broadcast was very helpful.

Overall, the broadcast evaluations were extremely positive. Participants gave highest ratings to the overall effectiveness of the program and the interaction of broadcast panelists. The committee interviewed the participants about their knowledge of mental health and pharmacology issues, the effectiveness of the activity breaks, and

the teaching effectiveness of the subject matter experts, in order to assist the committee in planning future broadcast programs.

Broadcast materials were requested by colleagues nationwide, including staff at the Bureau of Justice Assistance (BJA), the National Drug Court Institute, the Center for Court Innovation, the Maryland Department of the Public Defender, and the Ohio Supreme Court. The BJA and San Francisco Jail Psychiatric Services have begun to use portions of the tape for staff training.

Conferences and Presentations

Additional educational activities during committee meetings included presentations and site visits addressing balanced and restorative justice, community court projects, domestic violence court practice guidelines, and mental health courts.

Committee members and staff presented at several major statewide and national conferences this year. These included presentations at the following conferences: (1) California Judges Association, (2) National Media Conference, (3) National Drug Court Professionals Conference, (4) National Drug Court Institute, (5) National Academy of Criminal Justice Sciences, and (6) Statewide Proposition 36 Conference.

Conferences at the AOC that included presentations on collaborative justice included the Unified Family Courts Conference, the Family Violence Conference, Beyond the Bench, and the CFCC-sponsored conference on juvenile justice. These events represented a significant expansion by the committee in educational programs within and external to the AOC. The expansion reflects the continued growth in interest, statewide and nationally, in collaborative justice models.

Committee staff and staff from the AOC's Office of Communications publicized the following milestone events:

1. Chief Justice Ronald M. George was the featured speaker for the Drug Court graduation in San Francisco in December 2002. The press release for this speech is attached at page 90.
2. The Administrative Director of the Courts and committee members participated in meetings with the White House National Office of Drug Control Policy concerning drug courts and Proposition 36 implementation.
3. The Drug Court Partnership Evaluation was released, with national and local media coverage.
4. The California Drug Courts received the National Drug Court Month award.

Court News

Each issue of *Court News* contained an article on one of the projects of the committee. These articles are summarized below.

Court News January–February 2002: Youth Courts Proliferate

Chief Justice Ronald M. George delivered opening remarks at the Youth Court Training Conference at the AOC. The Chief discussed the success youth courts have experienced and the efforts by the Judicial Council and the courts to develop innovative alternatives that improve the legal system.

Court News January–February 2002: Advisory Committees/Task Forces

Superior Court of Butte County Judge Darrell W. Stevens, chair of the Collaborative Justice Courts Advisory Committee, presented the committee's report to the Judicial Council at its December 18 meeting.

Court News January–February 2002: Grants Aid Family Treatment Courts

The Administrative Office of the Courts (AOC) granted a total of \$378,000 to assist counties in establishing new or enhancing existing family treatment courts.

Court News May–June 2002: Study Bolsters Drug Court Claims

California's drug courts are effective in improving lives and reducing drug use and criminal offenses, according to findings presented in the Drug Court Partnership Act (DCPA) report.

Court News May–June 2002: Making Proposition 36 Work

Representatives from the worlds of criminal justice and substance abuse treatment joined together to discuss the implementation of Proposition 36 at a statewide conference in San Diego March 25–27.

Court News July–August 2002: Federal Grants Aid California Drug Courts

The U.S. Department of Justice's Office of Justice Programs announced in June that it would give California \$4,000,886 of the \$34 million in grant funding that it is awarding across the country to support drug courts.

Court News July–August 2002: California Receives Drug Court Award

In recognition of the many drug court activities and programs being promoted throughout the state, the National Association of Drug Court Professionals honored California with its National Drug Court Month Award.

Court News September–October 2002: Grants Aid Collaborative Courts
The Judicial Council and the Collaborative Justice Courts Advisory Committee are providing \$1 million in grant funding for California collaborative justice courts.

Court News September–October 2002: Collaboration Enhances Courts
The AOC and ADP are collaborating on several projects related to drug courts and Proposition 36.

Court News September–October 2002: Mental Health Broadcast
The Collaborative Justice Courts Advisory Committee and CJER are presenting a broadcast both for those with experience in mental health courts and for newcomers to the field.

Development of Judicial Education Standards and Educational Activities on Collaborative Justice Courts

The committee is also charged with the task of recommending minimum educational standards in the area of collaborative justice courts. To achieve this goal, the committee has collaborated with the drug court and collaborative justice subcommittee of the CJER Governing Committee to develop a joint process for arriving at these recommendations over the course of the upcoming year. In considering this effort, the committee has noted Resolution 17, adopted on January 30, 2003, by the Conference of Chief Justices, endorsing and supporting the educational curriculum by the NCSC and the American Judges Association—Judicial Education on Substance Abuse: Promoting and Expanding Judicial Awareness and Leadership.” A copy of the resolution is included in the attachments at page 91.

CJER provided the following summary of activities in collaborative justice and judicial education during 2002.

Education Division/CJER Educational Activities Supporting Collaborative Justice Courts

The Administrative Office of the Courts’ (AOC) Education Division/CJER (CJER) continues to provide the judicial branch with educational leadership and direct services. The CJER Governing Committee, as an advisory committee of the Judicial Council, provides planning and implementation guidance for the statewide educational efforts of the Judicial Council and the AOC.

To better support collaborative justice court and drug court education in California, the CJER Governing Committee appointed the Drug and Collaborative Court Education Committee. The Education Committee currently continues the curriculum planning efforts that will result in educational services for drug and other

collaborative court personnel, including judicial officers. Planning efforts have been expanded to address future planning for educational programming for mental health courts, dependency courts, homeless courts, and possibly domestic violence and peer courts. AOC staff and a member of the Collaborative Justice Courts Advisory Committee continue to serve as liaisons to CJER's Drug and Collaborative Court Education Committee.

The curriculum planning process for any of the collaborative courts includes three phases:

1. Development of the curriculum plan;
2. Development of the more specific educational plan, including plans for beginning, experienced, and advanced learners; and
3. Development of course- and program-specific faculty lesson plans.

The Drug and Collaborative Court Education Committee will begin its educational design work on the existing Drug Court Curriculum Plans in early 2003, with work to follow on other collaborative court plans and designs. It is anticipated that much of the work identified in the drug court plans will be incorporated into the educational plans and designs for other collaborative courts, including the following areas of emphasis:

- Information management systems, evaluation and monitoring of drug and other collaborative courts;
- Building community support;
- Collaboration;
- Funding/resource development;
- Criminal justice processing;
- Screening and assessment (intake);
- Case management;
- Sanctions and incentives (motivators); and
- Juvenile courts.

Other Education Division/CJER Activities

CJER developed and maintains a *Proposition 36 Online Course* for judicial officers. In June 2001, CJER distributed materials to support local Proposition 36 training efforts. Included in this technical assistance package were copies of the Proposition 36 self-study course on CD-ROM, materials prepared by several California judicial officers, and a script for judicial officers to use when taking a defendant's plea. During the first 6–9 months that the course was available, approximately 200 judicial officers reviewed the material and completed the course. A course update has been developed and will be available for use by the end of January 2003. At that point, use will again be monitored on a regular basis.

Education Division/CJER has continued to provide information and collaborative justice courts training opportunities as part of several education programs. For example, a week-long *Alcohol and Other Drug* course is offered annually during the Summer Continuing Judicial Studies Program (CJSP). Other overview sessions and workshops offered throughout the year include the following.

2002 Judicial College

Courses related to drug and other collaborative courts are regularly offered at the B. E. Witkin Judicial College. Courses offered within the past year include *Alcohol and Other Drugs and the Courts*, taught by Judge Peggy Hora and S. Alex Stalcup, M.D.; *Domestic Violence*, taught by Judges Sharon Chatman and Anita Dymant; and *Drug Treatment Courts: An Introduction*, taught by Judges David Krashna and Richard Livermore.

2002 Juvenile Law Institute

Courses related to drug and other collaborative courts are also regularly offered at the Juvenile Law Institute. This year's offerings included *Domestic Violence, Child Maltreatment, and the Juvenile Dependency Court: Best Practices*, taught by Judge Len Edwards, Mr. Ken Borelli, DFCS, and Ms. Lisa Breen Strickland, Support Network for Battered Children; *Juvenile Delinquency and Dependency Fair—Booths on Family Violence Court*, organized by Debra Luhning and James Ortega, Deputy Probation Officers, Santa Clara County; and *Peer Courts*, taught by Judge Richard Couzens and Ms. Karen Green.

Criminal Law Curriculum Committee

With the support of the Criminal Law Education Committee, a *Proposition 36 Course* was offered at the Criminal Law Institute in February 2001 and at the Rural Judges Institute in May 2002. Information on Proposition 36 is also included as one of the topics in the sentencing courses offered during the weeklong courses offered at the Continuing Judicial Studies Programs, at the Judicial College, and at the Criminal and Rural Court Judges Institutes every year.

Distance and Broadcast Education

Education Division/CJER (CJER) has also supported the distance and broadcast education efforts of the Collaborative Justice Courts Advisory Committee and its staff in a variety of ways. Most notably, CJER collaborated with the committee and its staff in support of the November 14, 2002, broadcast *Mental Health Courts*.

CJER Distance Education and Administrative and Staff Education staff initially met with the members of the advisory committee to outline ways in which distance and broadcast programming might work and to describe models of collaboration that might be most appropriate.

CJER staff, serving in a consulting role, also met with advisory committee staff to discuss alternative delivery methodologies and to provide assistance in choosing appropriate delivery methods. CJER staff also played a role in analyzing learner needs and collaborated with advisory and subcommittee staff in setting and finalizing of educational objectives. In collaboration with staff and members of the subcommittee, CJER staff assisted in the development of an educational design for the *Mental Health Courts* broadcast. CJER staff subsequently managed all broadcast production elements of the project.

CJER paid all expenses related to the actual broadcast, including the cost of broadcast transmission time and all broadcast production staff. In addition, CJER Distance Education staff worked with advisory committee staff to put local courts in contact with one another to facilitate an effective local experience. CJER staff also collaborated with advisory committee staff to produce the Web page and materials associated with the program and, in general, co-managed the project with advisory committee staff.

From an Education Division/CJER standpoint, the collaboration was most successful and was a good example of an interdivision collaborative model that appears to have served the courts well.

The AOC's Education Division/CJER remains committed to continuing and expanding its offerings for collaborative justice courts education in cooperation with the Collaborative Justice Courts Advisory Committee and its staff as part of its future activities.

Future Directions

The Collaborative Justice Courts Advisory Committee continues to strive to implement one of the key resolutions of CCJ: to “encourage, where appropriate, the broad integration over the next decade of the principles and methods employed in the problem-solving courts into the administration of justice to improve court processes and outcomes while preserving the rule of law, enhancing judicial effectiveness, and meeting the needs and expectations of litigants, victims, and the community.”

FULFILLING THE COMMITTEE'S ORIGINAL CHARGE

Assess and Measure Success and Effectiveness

To fulfill its charge to evaluate the success and effectiveness of collaborative justice courts, the committee will:

- Complete pending evaluations and develop methods to assess the effectiveness of drug courts and other collaborative justice court models and types; and

- Integrate efforts to identify promising practices with efforts to evaluate the effectiveness of collaborative justice courts.

Identify and Disseminate Promising Practices

To fulfill its charge to identify and disseminate promising practices in the operation of collaborative justice courts, the committee will:

- Develop additional methods to identify promising practices and create a link between the evaluation process and information to be disseminated;
- Collaborate with CJER in providing a range of educational programs on collaborative courts and the promising practices identified in different court models;
- Reach beyond the courts in building a strong foundation for collaborative justice courts, including:
 - Enhancing collaborative efforts by getting on the agendas of key committees to make presentations;
 - Continuing and enhancing liaison relationships with other advisory committees; and
 - Continuing to build relationships with outside agencies and organizations (e.g., drug court coordinators' associations, experts in restorative and therapeutic justice) to learn and disseminate information about promising practices, and encourage the courts to do the same.

Recommend Minimum Educational Standards and Activities

To fulfill its charge to investigate and recommend minimum educational standards and activities, the committee will:

- Collaborate with CJER, other AOC divisions, and other agencies and organizations on developing educational recommendations and programs;
- Continue to use alternative delivery methods (e.g., satellite broadcasting and online education) to deliver educational programming; and
- Consider developing a standard of judicial administration, rules of court, or other guidelines that establish basic knowledge and skills requirements for those involved in administering and operating collaborative justice courts.

Recommend Funding Sources

To fulfill its charge to research and make recommendations regarding funding sources for collaborative justice courts, the committee will:

- Identify funding opportunities and disseminate information to the courts through the AOC Grants Unit;
- Integrate evaluation, promising practices, and cost-benefit assessment projects to help clarify the relationship of collaborative justice courts with the rest of the court system and the community;
- Disseminate evaluation information to courts for their use in local efforts to obtain funding;
- Encourage local courts to seek additional funding at local boards, agencies, and organizations and to support state-level efforts; and
- Where appropriate, assist the Judicial Council in efforts to obtain more stable and institutionalized funding for collaborative justice courts.

Recommend Practices for AOC-Administered Grant Funds

To fulfill its charge to recommend practices for the administration of AOC grant funds, the committee will:

- Encourage the Judicial Council to continue efforts to maintain stable funding for collaborative justice courts, as demonstrated in evaluative studies and other data; and
- Improve reporting requirements related to grant funding, and directly tie that information into the overall collaborative justice court evaluation process.

Engage in Outreach Activities

To fulfill its charge related to engaging in outreach to support collaborative justice courts, the committee will:

- Continue to partner with CJER and other groups to make presentations at conferences, and provide collaborative justice courts workshops using both state and regional training opportunities;
- Develop a central network or listserv of collaborative justice court professionals, and provide a clearinghouse of information; and

- Identify expanded and alternative methods of outreach such as articles in professional magazines for those in fields related to collaborative justice courts, and prepare “tool kits”—training in how to set up collaborative courts.

NEW ACTIVITIES

The committee identified the following areas of emphasis for future work:

- Focus on efforts to integrate collaborative justice courts and principles within the larger court system;
- Consider the judicial role in collaborative justice in terms of ethical considerations, opportunities, and limitations within the judicial role; and
- Increase education projects concerning the applicability of collaborative justice court principles to general criminal calendars.

Summary

The Collaborative Justice Courts Advisory Committee has documented the increase in scope and scale of collaborative justice courts in California. It has embarked on two large endeavors to identify and assess promising practices in these courts: (1) a long-term cost-benefit study of California drug courts, and (2) projects initiated with NCSC and JMI to identify promising practices in courts statewide, with a national frame of reference. These projects are past their beginning phases, and some have been completed. In addition, the committee has been involved in the statewide implementation and evaluation of Proposition 36 and has proposed legislation, currently sponsored by the council, regarding cross-jurisdictional transfer of Proposition 36 cases. A copy of this legislative proposal is included in the attachments.

The committee initiated a program to assist courts in identifying costs and opportunities for funding in the area of collaborative justice, including expanding funding programs through the AOC and assisting courts in accessing funding from other sources. Information from program evaluations and identification of promising practices will inform future grant programs.

Finally, the committee modeled the committee’s principles of collaboration by working with the courts, CFCC, CJER, the Office of Communications, the Office of Governmental Affairs (OGA), and other California and federal governmental agencies and service providers. Information about developments in the area of collaborative justice will continue to be provided to courts through CJER and projects coordinated with the Office of Communications at the AOC.

Promising Practices Identified by Court Type

A summary of promising practices in California courts—identified by the Justice Management Institute (JMI) study, a review of the Ralph N. Kleps awards, and reviews of local and national evaluations—follows. Some of these practices also were identified by self-reporting from the courts. The committee reviewed these practices with consideration for its own definitions and 11 essential components of collaborative justice, as well as for key practice areas it had identified in its strategic planning process in spring 2002. These key areas are cultural competency, concerns regarding offender literacy, concerns regarding mental health issues, funding and sustainability, and institutionalizing collaborative justice.

The following “catalog” of promising practices was prepared to complement the programs and practices described in the committee report presented to the Judicial Council in December 2001, as well as to complement programs discussed earlier in this report. It is an initial document for consideration by practitioners and is not exhaustive. The committee is currently developing methods of compiling, categorizing, evaluating and disseminating promising practices on an ongoing basis.

Drug Courts. Several types of drug courts now operate in California and nationally.

- **Adult Drug Courts**

Adult criminal drug courts are the oldest model of drug courts. Since the nation’s first drug court began in the summer of 1989, the growth of the drug court movement, with an estimated 750 courts nationwide, is extraordinary by any measure. California’s growth in drug courts is equally impressive. In June 2001 (prior to the implementation of Proposition 36), the California trial courts reported 91 adult drug courts in operation or being planned. Current estimates, after implementation of Proposition 36 show 90 adult drug courts. Therefore, despite some initial concerns, there has been no decline in adult drug courts since the implementation of Proposition 36.

Promising practices in adult drug courts follow:

San Leandro–Hayward Drug Treatment Court, Superior Court of Alameda County (2002 Kleps award nominee)

This pre plea diversion program is designed for Penal Code section 1000.5 offenders—who have committed misdemeanor or felony drug-related offenses (excluding violent offenses, DUIs, and others based on section 1000.5)— who are appearing in the criminal justice system for the first time. This program utilizes community policing and continuing education about drug policies and progress in drug treatment methods. To participate in the 18-month program, offenders must sign a contract as well as participate in a treatment program, obtain a GED or high school diploma if applicable; pay all fees and fines; and submit to weekly drug testing.

Butte County Adult Drug Court: Education and Self-Esteem Practices

Promising practices include GED funding through community donations; a toll-free number for participants to call in for testing; copies of booking photos presented at graduation, together with a current photo and a plaque; assistance with tattoo removal; and incentive rewards such as meditation books, movie passes, grocery store coupons, haircuts and fast food certificates.

Redlands Adult Drug Court (San Bernardino County): Annual Community Fundraiser

The Redlands Drug Court hosts a charity golf tournament at the Redlands County Club. Proceeds from this annual event pay for sit-down graduation dinners for participants and family members in addition to GED materials, clothing for employment, bus vouchers, down payments for utilities, and other expenses to help stabilize a client in the community. Second Chance, the nonprofit agency that accepts and handles all the public donations, is staffed by community volunteers including the CEO of Redlands Community Hospital and members of the legal, medical, financial, and banking communities.

Sacramento Adult Drug Court: Dual Diagnosis and Body-Mind Practices

The Dual diagnosis project in the Adult Drug Court began in January 2002. It provides mental health assessment and follow-up services on site in addition to subsequent prescriptions for psychotropic medications. The court also has incorporated mind-body classes including guided imagery, cognitive re-patterning, Qi Gong (a Tai Chi-like exercise), and yoga.

Central Adult Drug Court (San Bernardino County): GED Programs

The court requires a GED, enrollment in continuing education classes, and full employment. The Department of Education now provides a full time GED instructor just for the Central Drug Court. GED classes are held at the treatment facility. The probation department also pays for a part-time retired probation officer to help probationers enroll in college and obtain grants to pay for books and tuition. Because of this resource, over 57 percent of the probationers in drug court enroll in college.

San Diego Adult Drug Court: Court-Community Programs

- Law Enforcement Linkages—Designated officers from at least 10 police agencies, based on service area, are assigned to the Drug Court programs and are active members of the Drug Court teams. Officers make regular and frequent unannounced home visits.
- “Clean and Sober” Activities—Treatment providers sponsor one mandatory “clean and sober” activity per month, such as bowling, beach barbecues, trips to aquariums and museums, local live theaters or movie theatres, and potluck dinners.
- Visitor Confidentiality Waiver—The adult drug court programs use a confidentiality waiver that visitors (non-team members) attending staff meetings are required to sign.

Superior Court of Tuolumne County: Dental Program

The Adult Drug Court and Dependency Drug Court participants are offered dental benefits, including a full examination and x-rays. Some participants have had little or no previous dental work. The dentist and staff also educate them on the importance of continuing with a dental hygiene program and provide them with a kit to get started. The court believes people are more likely to succeed in a treatment program if they can resolve some of their ongoing health needs.

- ***Juvenile Delinquency Drug Courts***

A juvenile delinquency drug court has two primary goals: ending the use of alcohol and other drugs and reducing delinquent activity among juvenile offenders.

Promising practices in juvenile delinquency drug courts follow:

S.T.O.P. N.O.W. Juvenile Justice Court, Superior Court of El Dorado County: (2002 Kleps award nominee)

The S.T.O.P. N.O.W. project is a collaborative effort of the Superior Court of El Dorado County, Public Health Department, the probation department, and Tahoe Youth and Family Services. It is designed for juvenile offenders ages 12 to 17, who have engaged in illegal activities because of substance abuse. Through intensive wraparound services, an attempt is made to empower the youth and the family, reinforce positive choices, and hold the juveniles accountable. The focus of the S.T.O.P.N.O.W. program is the family as a unit, with emphasis on educational, social, emotional, vocational, medical, and legal needs. The court monitors the juvenile’s performance

including drug test results, school attendance and grades, counseling appointments and any new law enforcement contacts.

Superior Court of Riverside County: Parenting Classes

Parenting classes were made a mandatory component of this program in an effort to educate the parents of juveniles. This has proven to be a key component in the juveniles' success.

Superior Court of San Francisco: Youth Treatment and Education Court

The Youth Treatment and Education Court's (YTEC) model integrates treatment with education to support court- and drug-involved youth in addressing their academic, emotional, substance abuse and delinquency issues in the least restrictive environment possible.

The YTEC collaborative includes the San Francisco Juvenile Court, the San Francisco Unified School District, the Youth Guidance Center Improvement Committee, Walden House, the Department of Public Health's Special Programs for Youth, and a broad range of nonprofit community-based organizations. YTEC's programs include the following: (1) Diversion, a program that targets youth in the early stages of substance abuse; (2) Intensive Day Treatment Services; (3) The YTEC Academy, an on-site alternative high school developed in partnership with the San Francisco Unified School District; (4) Work Experience and On-the-Job Support, a 12 week pre-employment training course and system for placement in intern positions; (5) Leadership Fellows Program—Peer Support, an aftercare program that allows graduates to serve as tutors and mentors, participate in arts and recreation programs, and prepare to meet education/employment goals; and (6) Family Functioning, a program to provide families with a range of services including family therapy, parenting classes, and mediation, to strengthen relationships between family members and participants.

YTEC indicates that it measures success by the extent to which participants reconnect and actively engage in school; increase their academic functioning, critical thinking, and problem solving; gain a better understanding of themselves; and develop and employ their leadership skills to the benefit of others. The program reports that there have been very few cases of recidivism among YTEC graduates since the program's inception. The program credits its success to their approach of providing a holistic and integrated intervention during the early phase of contact with the justice system.

- ***Juvenile Dependency Drug Courts***

Juvenile dependency drug courts target parents of children in the child welfare system—usually children seven or younger, primarily infants and toddlers—who have been accused of or admit to drug or alcohol abuse that

is related to child welfare concerns (without necessarily having a criminal charge or an already-established court order not to drink or take drugs). The Substance Abuse Recovery Management System (SARMS) program in San Diego, the subject of a cost-benefit study coordinated by the Department of Social Services, is discussed in the body of the report.

Programs noted in this practice area follow.

Juvenile Dependency Drug Court, Superior Court of Sacramento County (2002 Kleps award nominee)

To be eligible for Dependency Drug Court, clients must successfully complete an alcohol or other drug counseling program and must submit to drug testing as part of their reunification plan. The Dependency Drug Court is separate from Sacramento's Juvenile Dependency Court. Dependency Drug Court proceedings run parallel to and in concert with the dependency home court. Sacramento County's Dependency Drug Court is designed to provide closely monitored treatment services, which include regular attendance as the separate Juvenile Dependency Drug Court. The Juvenile Dependency Drug Court is anchored in the following system wide approach: (1) early identification of and intervention with substance-abusing parents identified by the Department of Health and Human Services at the time of the initial dependency hearing; (2) intensive recovery management services through the Specialized Treatment and Recovery Services (STARS) program; and (3) voluntary participation in the Dependency Drug Court.

The drug court has already seen an increase in successful reunification as parents conquer their alcohol and drug use and associated problems. Without recovery in the form of abstinence, often parents are unable to complete other aspects of their reunification plan, including court-ordered parenting, anger control, and counseling.

Superior Court of Riverside County: Program Evaluation

Focused on the most vulnerable children, the court serves substance-abusing parents, aged 18 and above, who are in dependency court with children aged 0 to 5 years. To evaluate the effectiveness of the program, a quasi-experimental design with repeated measures (pretest, post-test, and two follow ups) will be used. One hundred sixty families will be assigned to the FTDC group, and another 160 will not receive FTDC services. Data will be collected on several items, including (1) the number of positive drug tests for parents, (2) the number of child abuse and child neglect reports, (3) successful family reunification, (4) the time frame for reunification, (6) child's mental health, (7) the parent's mental health, (8) the parent's use of alcohol and other drugs, and (9) the parent's involvement in criminal activity.

- ***Family Law Drug Courts***

Family law drug courts target families (a family being a guardian or guardians with at least one child) in an effort to keep the parents out of the criminal system and the children out of juvenile dependency court. It functions within the context of child and spousal support, child custody, and other family-law-related issues. It is noted that the term “family treatment court” has been used interchangeably with “family law drug court” and “juvenile dependency drug court.”

Riverside Family Law Drug Court

This court program describes its target group as “any person involved in a family law custody dispute wherein drug abuse allegations are made. More specifically, the drug court targets any person in a family law case wherein substance abuse is preventing that person from having anything other than supervised visits with his/her child(ren). No criminal charges can be pending. The participant cannot have a violent criminal record or a felony offense on record.”

Domestic Violence Courts. One of the challenges in this field is that currently there is no single definition of “domestic violence court.” Various jurisdictions have established “domestic violence courts” that hear either criminal or civil matters or a combination of both. Some communities have also established juvenile domestic violence courts that address perpetration of violence by those under 18. It is important to note that there is significant variation in how these courts are structured. However, there are also important similarities that enable domestic violence courts to identify themselves as separate and distinct from other courts.

Some of the promising practices and programs identified in this area follow.

Juvenile Violence Court, Superior Court of Yolo County (2002 Kleps award winner)

Yolo County’s Juvenile Violence Court (JVC) is a therapeutic model that is a collaborative effort of the superior court and the probation department. The JVC has proven to be an effective and cost efficient way of reducing juvenile violence. Were it not for the program, the involved juveniles would be placed out of home. This highly structured program with intensive supervision stresses accountability. Each minor’s school attendance is monitored daily, as well as behavior at home, drug usage (random drug testing is conducted), and gang affiliations (rooms are periodically searched

for gang paraphernalia). All minors are required to attend two hours of anger control classes for 12 weeks, as well as peer meetings where a facilitator discusses topics such as lessons on the roots of violence and racism, conflict resolution, and self-esteem building. Juveniles appear monthly in court. As part of the program each minor is also required to go on field trips to the California Youth Authority Diversion/Reality Check and to San Quentin's Squire Program for Minors at Risk. The JVC uses a holistic approach involving juvenile offenders and their families. Parents are strongly encouraged to attend parenting groups.

Imperial County Domestic Violence Court

In Imperial County, judges rotate through the Domestic Violence Court, serving on average one year, although some elect to serve two years. There is a weekly judges' meeting, where they review the policies and procedures of the court. Both misdemeanor and felony cases are assigned to this specialized calendar. For a misdemeanor case, the defendant defers the entry of a plea and attends a 52-week anger management class. If the case is more serious, the defendant is placed on probation and must attend counseling in addition to the anger management class. The Center for Family Solutions, a local shelter, administers the 52-week anger management class.

Napa County Domestic Violence Court

The superior court determined that judicial oversight was needed to ensure that batterers enrolled and attended anger management classes. In the domestic violence court, the severity of the crime is congruent to the severity with the sentence. For misdemeanors the prosecutor follows standard sentencing guidelines; however, for felonies, the sentence is individualized. The court has a judge available at any time for the issuance of emergency orders. The probation department monitors program compliance and has a full-time officer devoted to the Domestic Violence Court. The program is discussed at the weekly judges' meeting.

Pasadena Domestic Violence Court: Program Description

The Pasadena County court also had difficulty getting people who were charged with domestic violence enrolled in programs. The Domestic Violence Court was started to ensure that offenders are in full compliance with counseling, participate in sessions, and avoiding further violence. The court handles only misdemeanors. If a case involves children, a significant amount of time in counseling is devoted to discussion of the impacts of domestic violence on children.

The Domestic Violence Court has taken several steps to ensure a continuing and successful program. It has documented its process. At the judges' meeting, the

judges discuss the Domestic Violence Court, which keeps the mainstream court abreast of its activities and goals. The court also sends the entire judiciary memoranda discussing updated procedures and sentencing policies. The bar association is educated on the court's guidelines and is trained on domestic violence. Another method of outreach that the court uses is to invite superior court judges to domestic violence workshops to learn about the issues, obstacles, and promising practices related to domestic violence, the domestic violence courts, and case management. The court has educated the larger community by having the domestic violence court judge speak at local organizations (e.g., the high schools) and having service providers conduct seminars.

Riverside County Domestic Violence Court

Before the creation of the Domestic Violence Court, the court noted a lack of coordination of court orders and services to defendants or victims. The court also noted that victims were often being revictimized and that the defendants sanctions did not appear to effectively change their behavior. Riverside handled a large number of domestic violence cases every year, in addition to a significant percentage of family law cases that involved allegations of domestic violence. Consequently, a Domestic Violence Court was created, at first addressing misdemeanors and then in January 2002, centralizing all domestic violence cases, both misdemeanor and felony, in one court. A family court judge provided the impetus for the creation of the court.

The goals of the court are to: (1) achieve uniformity and promptness in the resolution of cases; (2) achieve consistency in orders from family law, juvenile law, and criminal law; (3) deliver immediate consequences for violations of probation; (4) improve representation through specialized and experienced judges, district attorneys, public defenders, court staff, and treatment counselors; (5) promote settlements, which results in better resolutions for families and cuts down on jury trials; and (6) share information (e.g., restraining orders) between the criminal court and family court. All of the goals were created to achieve the court's mission, which is to stop the cycle of family violence. The Domestic Violence Court's first concern is the safety of minor children.

The court is linked with the mental health and alcohol and drug treatment communities. The domestic violence judge also runs the mental health court, which provides more extensive services; therefore, the judge can rely on its linkages. Moreover, the Domestic Violence Court shares resources with the drug court, which is located adjacent to it. The benefit of partnering with community-based organizations is that more and better information is shared.

One of the court's promising practices is the immediate response protocol. The judge does not issue warrants to have defendants picked up who have violated the conditions of their probation, because it is imperative to take immediate action for

noncompliance. The probation department received a grant to establish an intensive domestic violence supervision unit. If a case appears in the family court in which there has been a probation violation, the judge flags the case and immediately notifies the Domestic Violence Court judge of the violation. These cases are placed on the next Domestic Violence Court calendar so that the judge can promptly sanction the defendant. The family law court's and Domestic Violence Court's computers are linked, which makes notification easy. Likewise, if a treatment counselor (e.g., an anger management counselor) suspects that a violation has occurred or is imminent, he or she immediately notifies the judge, attorneys, and probation officer. This allows the judge to take swift action either to sanction the defendant or try to prevent a violation. Defendants learn from other participants about the consequences of violating the terms of probation or court orders.

Santa Cruz Domestic Violence Court

The Domestic Violence Family Court was started in January 2002 as a component of the Family Court Division to address concerns about the former system and to link criminal domestic violence cases with family court. The Domestic Violence Family Court handles all criminal and civil domestic violence cases except dependency cases. Therefore, the Domestic Violence Family Court utilizes resources and services available through the family court system.

San Francisco Domestic Violence Court

A domestic violence homicide in 1991 stimulated interest in this issue in many organizations. Two judges facilitated the planning of a Domestic Violence Court and in 1997, the Domestic Violence Court opened. It handles all misdemeanor domestic violence cases. Its mission is to hold offenders accountable and protect the victims and children, who are the primary focus. In addition to protecting victims' rights, however, the court recognizes that it needs to protect the rights of defendants.

Once a month, the judge and probation officer meet with service providers and victim advocates' groups. The probation department monitors the service providers and makes sure that defendants are receiving the appropriate supervision and services along with treatment. Within the judiciary there is a Drug and Domestic Violence Committee, which is empowered to make policy decisions but does not oversee the daily operations of the court.

The Domestic Violence Court serves approximately 500 people per year. Most of the defendants are African-American and Latino men. The probation department has made a special effort to address the cultural issues related to domestic violence in the African-American community. A variety of culturally proficient treatment

services are provided, such as gender-specific and bilingual groups as well as services designed for all sexual orientations.

In order to institutionalize the program, the team is working on a policies and procedures manual to document the cases and provide consistency. For instance, the linked batterers' programs and the probation department alert the court of potential threats and violations. This procedure, memorialized in the manual, is designed to ensure victim safety.

This court noted three promising practices, as follows: (1) It has established a Batterer Intervention Program Advisory Committee, which has a subcommittee for the Family Violence Council. This committee meets regularly to share ideas and make programmatic improvements. (2) It has a protocol for placement in appropriate services. The court mandates that all defendants be enrolled in treatment. (3) The court has a full-time analyst position to evaluate the procedures, work closely with probation to develop monitoring forms, and restructure processes to make them more efficient. The judges indicated that the research and evaluation staff person is needed to analyze the court's cases and processes and to produce evaluation reports.

Yolo County Domestic Violence Court

In 1997, Yolo County started a Domestic Violence Court to make sure all court users have equal access to the court and to assign a single judge to handle all civil and criminal Domestic Violence cases as well as family law cases for a given family from arraignment to disposition. The core team involves the judge, family prosecutor, public defender, mediators who handle custody issues, Child Protective Services worker, probation worker who is involved in only criminal cases, case manager, and family law facilitator. Court administrators, including the family law judge, are involved in the management and operation of the court.

The Yolo Domestic Violence Court is a full-service court. The case manager—a necessary position—coordinates the civil and criminal cases, checking domestic violence defendants' criminal histories and informing the judge. She also conducts assessments to determine which services an offender needs. The court is linked with anger management classes, parenting classes, alcohol and drug counseling, and mental health treatment. For example, the Kids Turn Program helps children who are having a difficult time coping with domestic violence issues interact with their parents in a structured setting. The case manager informs offenders about Parents Anonymous, a group devoted to sharing problems regarding guardianship and parenting. The court is also linked with parenting classes for teenagers and a program geared to teaching fathers how to bond with their child. Every offender has access to these services, and generally there is no waiting list to enroll.

To ensure victim safety, the Sheriff's Office, which handles all domestic violence cases, sends out extra patrols on days when visits occur. When the judge gives an order, law enforcement agencies are immediately informed via technology. The court considers that a key to a successful program is having the ability to employ a case manager to coordinate and follow all domestic violence cases.

Peer/Youth Courts. Peer courts, also known as youth or teen courts are an alternative approach to the traditional juvenile justice system. A youth charged with an offense opts to forgo the hearing and sentencing procedures of the juvenile courts and agrees to participate in a sentencing forum with a jury of his or her peers under the supervision of a judge. Youth defendants and volunteers often play a variety of roles in the teen court process (district attorney, public defender, etc.).

Superior Court of Alameda County: Outreach and Education

This court detailed described promising practices. For instance, it provides a two-hour cultural competence segment in training mentors. In addition, the debriefing sessions the judge runs after each peer court session reportedly have proven very beneficial. In these sessions, students, volunteer attorneys, and jurors can ask

questions about the process, the sentence given out, how the justice system works, the players' roles, etc. Students can also give their feedback on how they saw the case proceed and whether it was fair and just. The Alameda County Court also holds summer "law camps." High school student law clubs select individuals who will attend camp for four days at Mills College. Students are taught about the judicial process and how to serve as attorneys, judges, bailiffs, and other court practitioners. Campers' expenses are paid by private donations, while volunteers serve as mentors and chaperones. Finally, the court noted its methods for finding and training mentors. Mentors are solicited through advertisements, public service announcements, word of mouth, and a Web page. After an application process, selected mentors must go through 40 hours of training on how to cultivate youth development, provide support and guidance, and help youths identify their own strengths and how to use them to develop healthy behaviors, attitudes, and goals.

Superior Court of Colusa County: Education Programs

This court has "teaching teams made up of adult volunteers. These teams go to the schools and teach a curriculum on the juvenile justice system. This court also provides a parenting class for teens and an anger management course—promising practices that have worked well for their youth.

Superior Court of Humboldt County: Volunteer Recognition

This court observed that its student appreciation ceremony has helped retain and increase the volunteers who participate in Peer Court. Held at least once a year, the ceremony highlights the efforts of the volunteers and congratulates them for their participation.

Superior Court of Orange County: Alternative Court Location

This court holds its court sessions at the high school so that more students are able to learn about what Peer Court is and what it does. The court reports that it believes this practice not only educates the students about the justice process, but also helps with recruitment of jury members in the future.

Superior Court of Sacramento County: Education Programs

This court indicated that it provides learning services and tutoring to students in order to help the youth create a more positive lifestyle.

Superior Courts of Santa Barbara County and Alameda County: Gender-Specific Services

These courts noted that offering gender-specific services has enhanced their peer court sentencing and service structure.

Superior Court of Santa Cruz County: Institutionalizing Peer Court

This court is developing a policy and procedures manual and setting up a formal steering committee with relevant subcommittees. This helps institutionalize Peer Court through the formalization of rules and processes so that when team transitions occur, there is continuity. The Santa Cruz County court also described a project that is designed to show the youth the potential results if they continue their criminal behavior. For example, youths sit in adult drug court to see how those who continue to use drugs live their lives and what the harmful results are.

Superior Court of Sonoma County: Family Programs

This court highlighted its Roots System as promising practice. This adds a family component to Peer Court by facilitating personal and family growth and development. Through the Roots System “Time In and Time Out” seminar, youths listen and complete exercises on understanding themselves, developing communication skills, and seeing how they fit into others’ lives. The parents attend a seminar that, while not seen as family therapy, is an intensive examination of how they see themselves and their roles as parents in facilitating family growth. Each seminar can be from one to three days and is facilitated by an expert.

Superior Court of Tuolumne County: Twelve-Step Programs and Youth Empowerment

One of the services the youths felt was missing was an Alcoholic Anonymous (AA) meeting for juveniles. The youth juries who wanted to “sentence” an alcoholic defendant to an AA group found that no such group existed. They spoke with the adult coordinators about the need, and, by working with a community-based organization, they set up a juvenile AA group. Another practice that was noted is a project that the high school seniors are working on. They want to produce a film on the Peer Court that they can use in community presentations. It will be planned, developed, filmed and produced by the seniors.

Superior Court of Ventura County: Education and Immigrant Services

This court set up both a justice class and a legal clinic. The justice class, set up for youth, is much like a mini-civics class. Participants learn about the justice system, how the processes work, and who participates in the system. They also learn what their rights are, as well as their duties as responsible citizens. The legal clinic is set up to help students help their immigrant parents. Students are given information about what forms their parents may need to fill out, and for what; where they can find services they may need; and other such information.

Restorative Justice. The term “restorative justice” refers to an alternative philosophy for addressing crime. First articulated as a mission for juvenile

probation agencies, a “balanced approach” is increasingly incorporated with restorative justice in a combination often referred to as “balanced and restorative justice” (BARJ). An example of balanced and restorative justice in the juvenile justice system follows.

Superior Court of Los Angeles County: Juvenile Victim Offender Restitution Services

The Centinela Valley Victim Offender Restitution Services (VORS) is one of several mediation projects managed by the Centinela Valley Juvenile Diversion Project, a nonprofit organization operated by the City of Inglewood.

VORS was created in 1995 at the request of the presiding judge of the juvenile court, who continues to chair the Victim Offender Services Collaboration Team, which includes the probation department, the district attorney, the public defender, and chiefs of police from several local law enforcement agencies. Victim-offender mediations usually result in a specific written agreement. The referring agency is told when restitution, community service, and any other terms of the agreement are completed.

Mental Health Court. Like drug courts, mental health courts focus on treatment to restore health and reduce criminal activity. They focus on providing mentally ill offenders with access to treatment, consistent supervision, and support to reconnect with their families.

Promising practices in the area of mental health courts follow.

Mental Health Court, Superior Court of San Bernardino County (2002 Kleps award nominee)

The Superior Court of San Bernardino County Mental Health Court provides mentally ill felony defendants a single point of contact within the court system. A dedicated team works directly with the defendant to provide a comprehensive treatment plan that includes housing, transportation, treatment, peer support, and community integration. Graduates leave the program engaged in the community through employment, community service, educational programs, and a social network, including the dual-diagnosis 12-step community.

Adolescent Individualized Treatment Court, Superior Court of Santa Clara County (2002 Kleps award nominee)

National studies have estimated that 50 to 70 percent of young law violators in the juvenile justice system have some diagnosable mental health disorder,

which indicates that this system has become the common pathway for many youth with serious mental illness. With early assessment, professionals identify candidates for CITA from juveniles who have committed nonserious offenses and who are suffering from major depression, bipolar disorders, schizophrenia, severe anxiety disorders, severe Attention Deficit Hyperactivity Disorder (ADHD), developmental disabilities, and organic brain syndromes. The supervising judge of the delinquency court, through a collaborative effort of prosecutors, defense counsel, probation officers, and mental health professionals, develops an individualized plan that balances the best interests of the minor, the family, the victim, and the community at large.

Combining accountability with a therapeutic approach, a whole spectrum of community services is used to effect more humane treatment of juveniles with serious mental illness, to help relieve the overcrowding of detention facilities, and to decrease recidivism.

Superior Court of Los Angeles County: Juvenile Mental Health Court

The Los Angeles Juvenile Mental Health Court views juvenile crime as a symptom of mental illness. Nationally, 30 to 40 percent of juvenile offenders have significant mental health issues. Thus, the numbers of affected youth are significant, considering that on any day there are approximately 2,000 youth held in Los Angeles County's juvenile halls and thousands more in camps and other facilities.

The Los Angeles Juvenile Mental Health Court was established as a comprehensive, judicially monitored program for juvenile offenders with mental health problems. The target population for the program is juveniles suffering from mental disorders and/or developmental disabilities. The mission of the Juvenile Mental Health Court is to foster collaboration among the youth, family members, mental health workers, school, and juvenile justice professionals to deliver comprehensive therapeutic services, reduce recidivism and promote public safety.

Generally the teens who participate in the program are those who have committed less serious crimes or assaults without guns. The focus of the program is to place minors in the least restrictive mental health treatment environment possible that is consistent with public safety, the safety of the minor, and the minor's treatment needs. The court program also assists the minor in getting into an appropriate school setting. The court has established linkages with community services and support systems. Treatment of the offender is monitored both while in custody and upon release.

Superior Court of Riverside County

The establishment of the Mental Health Court was driven by the need for a current case processing system by the criminal justice system to employ at both the felony and misdemeanor level.

The primary goal of the Riverside County Mental Health Court is to address the proper assessment, sentencing, and placement of criminal defendants suffering from mental health issues by supporting and implementing best practices in treatment, sentencing, and case management. The success of this model is based upon sentencing that provides strong linkages to services for offenders, such as outpatient mental health appointments, outpatient substance abuse appointments, outpatient vocational rehabilitation, transportation, medication, therapy in a community setting, and community-based activities that include family.

San Francisco Adult Drug Court: Mental Health Track for Co-Occurring Disorders

The court hired a master's-level case manager who specializes in both psychological and substance abuse (co-occurring) disorders. Participants in the mental health track are provided assessments and individual treatment plans by the case manager. This leads to higher retention and completion rates among the dually diagnosed.

Superior Court of San Joaquin County: Mental Health Court

The Superior Court of San Joaquin County has implemented a Mental Health Drug Court that provides a comprehensive and intensive treatment program with a broad continuum of services to meet the specific needs of mentally ill substance-abusing adults. One of the program goals is to have 80 percent of all homeless and at-risk participants placed in a structured housing/treatment facility that provides education in living skills. The Superior Court of San Joaquin County has contracted with a local treatment house that will provide homeless and at-risk clients with a safe environment, and on-site group meetings with Alcoholics Anonymous and Narcotics Anonymous discussions. The house allows them to concentrate on their recovery needs while learning basic skills that will enable them to become self-sufficient.

Superior Court of Santa Clara County: Supervised Housing for Mental Health Court Participants

Santa Clara County Mental Health Court clients experience shorter stays in county jail as a result of this program. Nine beds at a transitional housing center were purchased for the sole use of the Mental Health Court. These housing slots are associated with a day treatment program which helps eligible clients, who have a dual diagnosis of mental health issues and substance abuse make the transition to

more permanent housing. Many clients move back into community treatment through this program.

Homeless Courts. A “homeless court” is a special court calendar, held in a local shelter for the homeless for resolving outstanding misdemeanor criminal warrants—principally “quality-of-life” infractions such as unauthorized removal of a shopping cart, disorderly conduct, public drunkenness, public urination, and sleeping on a sidewalk or on the beach. Resolution of outstanding warrants is not only a fundamental need of homeless people but also eases court case processing backlogs and reduces vagrancy. Homeless people tend to be fearful of attending court, yet their outstanding warrants limit their reintegration into society, deterring them from using social services and impeding their access to employment. They are also effectively blocked from obtaining driver’s licenses, job applications, and rental agreements.

Los Angeles County Homeless Court

People Assisting the Homeless (PATH) is a nonprofit organization that seeks to fight homelessness by empowering homeless people with the tools for self-sufficiency. The purpose of the PATH Court Program is to identify and treat the underlying causes of criminal behavior therapeutically. PATH’s single treatment facility houses a variety of services, including those related to housing, health, substance abuse, mental health, legal help, vocational and adult education, personal care, family reunification, and referral. In addition, its facility houses a superior court courtroom, thereby bringing court proceedings to a location that can provide a holistic approach to helping people. This on-site courtroom directly links court-monitored probation with service providers.

San Diego County Homeless Court: Outreach Programs

In San Diego County, judges rotate through the homeless court, gaining exposure to the program. The law enforcement community has been given an educational video and pamphlet to explain the importance and procedures of the court.

Ventura County Homeless Court: Program Highlights

This court was featured at the National Association of Court Management national conference in 2002. The court’s Mobile Self-Help Center provides assistance with related civil matters or other issues for the Homeless Court. The flexibility to tailor community service and counseling to meet defendant needs and interests is another noted practice of this court. For instance, a homeless defendant and a social worker select the type of work or counseling program that will address the defendant’s needs, accounting for physical or mental disabilities. The court, when evaluating their success, considers the quality as well as quantity of the defendant’s time spent performing community service.

Community Courts. Community courts are an experiment in community-based justice. These courts aim to improve efficiency in judicial proceedings, match sanctions and services to offenders, and build bridges between public and private agencies that serve offenders. Community courts focus on quality-of-life crimes and on cleaning up neighborhoods that are deteriorating from crime and neglect. The courts encourage community groups to identify neighborhood problems and become involved in developing solutions. Like peer/youth courts, community courts have some models that involve court jurisdiction and resolution and some that do not. One model is developing in California courts. An example follows.

Superior Court of San Diego County: Community Court

The Downtown Community Court Pilot Project was implemented in the Central Division of the Superior Court of San Diego in October 2002. The Downtown Community Court Pilot Project focuses on offenders who commit and are convicted of low-level “quality of life” crimes in the downtown area. The offenders perform community work services under the supervision of the Downtown Partnership’s Clean and Safe Program (a nonprofit association of downtown businesses). An average of two to three days of work is ordered, and performed in areas where Clean and Safe presently operates, in lieu of standard fines. Work service involves painting out graffiti, picking up trash, planting trees, or other community work. Upon successful completion of community work service, the offender’s criminal case may be dismissed. The court, along with the city attorney, public defender, and San Diego Downtown Partnership, collaborated on the formation and implementation of this program. The program is partially funded by local property owners and by the county board of supervisors.

